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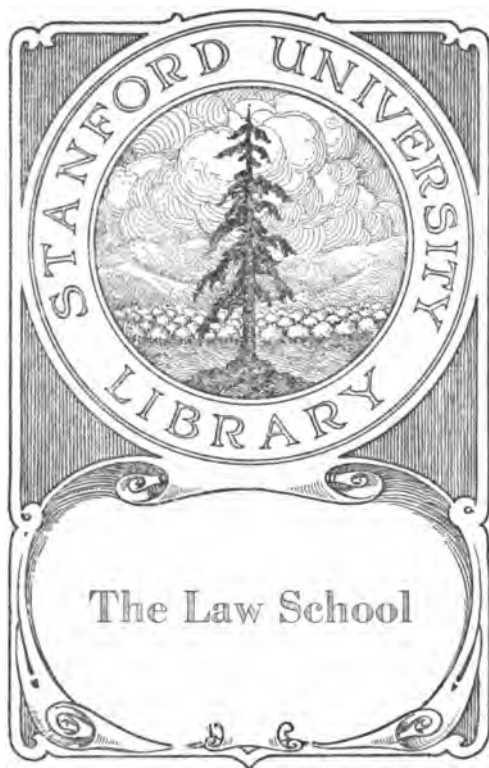
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Memorandum

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ACTS AND RESOLVES

OF THE

SIXTY-FIRST LEGISLATURE

OF THE

STATE OF MAINE.

1883.

Published by the Secretary of State, agreeably to Resolves of June 28, 1820,
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PUBLIC LAWS

OF THE

STATE OF MAINE.

1883.

PUBLIC LAWS
OF THE
STATE OF MAINE.

1883.

Chapter 99.

An Act to amend section thirty-five of chapter eleven of the Revised Statutes, relating to the erection of school houses.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section thirty-five of chapter eleven of the revised statutes of eighteen hundred and seventy-one is hereby amended by inserting after the word "by" in the second line of said section the words, 'a town or' so as amended, to read as follows :

Sec. 32, ch. 11,
R. S., amended.

'SECT. 35. A plan for the erection or reconstruction of a school house voted by a town or a district, shall first be approved by the superintending school committee.'

Plans for erection
of school houses
to be approved
by school com-
mittee.

SECT. 2. This act shall take effect when approved.

Approved January 27, 1883.

Chapter 100.

An Act to protect officers in the service of process, civil and criminal.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. If any person shall wilfully obstruct any officer, or other person duly authorized, in the service of any lawful

Penalty for ob-
structing an
officer in service
of process.

CHAP. 101

Fine or imprisonment.

process or order in any civil case, or in any criminal case the punishment of which may be imprisonment in the common jail and fine, or either, he shall be punished by imprisonment not exceeding one year and by fine not exceeding three hundred dollars.

Penalty, fine or imprisonment, or both.

SECT. 2. If any person shall wilfully obstruct any officer, or other person duly authorized, in the service of any criminal process for any offense punishable by imprisonment for more than one year, he shall be punished by imprisonment not exceeding two years, or by fine not exceeding five hundred dollars, or both.

Approved January 30, 1883.

Chapter 101.

An act to amend section thirty-two of chapter eleven of the Revised Statutes, relating to the location of school houses.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 32, ch. 11, R. S., amended.

SECT. 1. Section thirty-two of chapter eleven of the revised statutes of eighteen hundred and seventy-one is hereby amended, by adding after the word "thereon," in the last line, the words 'in towns which have abolished the school districts therein, the location for the erection or removal of school houses and necessary buildings and for necessary play grounds, shall be designated by vote of said town at any town meeting called for that purpose,' so that said section as amended shall read as follows :

Location of school houses, how determined, in case of disagreement.

'SECT. 32. At any district meeting called for the purpose of removing a school house or locating one to be erected, if more than one-third of the voters present and voting object thereto, the clerk shall make a record of the fact ; and the municipal officers, on written application of any three or more of said voters, or any committee of the district, made within thirty days thereafterwards, shall as soon as may be, appoint a time and place in the district to hear the parties, and give such notice as is required for a district meeting ; and after such hearing, they may decide where the school house shall be placed ; and shall, within ten days, give a certificate of their determination to the clerk of the district, who shall forthwith

Proceedings.

enter it on his records, and the district shall proceed to erect, or remove the school house as if determined by a sufficient majority of the voters present at said meeting; but no such officer residing in the district shall have any voice in such determination; and when a majority of them reside therein, or do not agree, the superintending school committee shall do all the duties herein required of the municipal officers; and if the district refuses or neglects for sixty days to carry into effect such determination, the municipal officers or superintending school committee at the expense of the district, shall, if need be, purchase a lot for said house and cause it to be erected or removed thereon. In towns which have abolished the school districts therein, the location for the erection or removal of school houses and necessary buildings and for necessary play grounds shall be designated by vote of said town at any town meeting called for that purpose.'

When school districts are abolished, towns shall locate.

SECT. 2. This act shall take effect when approved.

Approved January 30, 1883.

Chapter 102.

An Act fixing a time when amendments to the Constitution shall take effect.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Unless otherwise provided in the resolve submitting it, every constitutional amendment shall take effect and become part of the constitution, on the first Wednesday of January following its adoption by the people.

Constitutional amendments to take effect first Wednesday in January after adoption by people.

SECT. 2. Within thirty days after it shall appear that a constitutional amendment has been adopted, the governor shall make proclamation thereof and the secretary of state shall forthwith cause such proclamation to be published in the state paper, and it shall also be prefixed to the next volume of acts and resolves.

—governor to make proclamation thereof.

Approved February 1, 1883.

CHAP. 103**Chapter 103.**

An Act in addition to section four of chapter fifty-one of the Revised Statutes, relating to railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 4, ch. 51, R.
S., amended.

Provisions in
railroad charters
limiting time in
which such rail-
road is to be
completed, shall
not affect portion
completed within
time limited.

SECT. 1. Section four of chapter fifty-one of the revised statutes is hereby amended by adding thereto the following : 'Provisions in charters of railroad corporations, whether heretofore or hereafter granted, limiting the time within which such railroad shall be completed, shall not be construed to affect the portion of the railroad completed within the time limited; and all charters under which railroads have been constructed for a portion of the line authorized thereby, are hereby confirmed and made valid as to such portion.'

SECT. 2. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 104.

An Act to amend section three of chapter one hundred and forty-seven of the Public Laws of eighteen hundred and seventy-three, relating to the appointment of Port Wardens.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 3, ch. 147,
public laws of
1873, amended.

The third section of chapter one hundred and forty-seven of the public laws of eighteen hundred and seventy-three, entitled "An Act providing for the appointment of port wardens," is hereby amended by striking out, in the last two lines of said section, the words "and the vacancy thereby created shall be filled by the aforesaid appointing powers until the next annual meeting," and inserting in place thereof the following words : 'and all vacancies, whether created by removal or caused by death, resignation, inability or any other cause, shall be filled by the aforesaid appointing powers.' So that said section as amended shall read as follows :

Port wardens
may be removed.

'SECT. 3. Said boards of trade, by their managers, and said municipal officers, by themselves, shall have the power, and they are hereby respectively required to remove for cause, forthwith, upon complaint of any person aggrieved, and after hearing the party or parties complained of, any port warden

or port wardens by them appointed, and all vacancies whether created by removal or caused by death, resignation, inability or any other cause, shall be filled by the aforesaid appointing powers.'

CHAP. 105

Vacancies, how filled.

Approved February 3, 1883.

Chapter 105.

An act to amend chapter seventy-three, section twenty-six, of the Revised Statutes, in relation to the Registry of Deeds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. That chapter seventy-three, section twenty-six, of the revised statutes be amended, by inserting after the word "all" in the second line the following words, viz : 'or if any deed is recorded in the wrong county or registry district and lost,' so that the section as amended shall read as follows :

Sec. 26, ch. 73, R. S., amended.

'SECT. 26. If a deed conveying lands in more than one county is lost before recorded in all, or if any deed is recorded in the wrong county or registry district and lost, a certified copy from a registry where it has been recorded, may be recorded in any other county, and have the same effect as a record of the original.'

How a deed conveying lands in more than one county, lost before recorded in all, or recorded in wrong county and lost, may be recorded in the others.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 106.

An act to condense and amend section one of chapter ninety-two of the Public Laws of eighteen hundred and seventy-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section one of chapter ninety-two of the public laws of eighteen hundred and seventy-three, is hereby condensed and amended by inserting therein, the words, 'and for the erec-

Sec. 1, ch. 92, public laws 1873, condensed and amended.

CHAP. 107 tion and maintenance of monuments and for the benefit of public cemeteries and lots therein, so that the same section, condensed and amended, shall be as follows :

Offices and towns authorized to receive money in trust for certain purposes.

'SECT. 1. Any city or town may receive money by donation or legacy, in trust, for benevolent, religious or educational purposes, and for the erection and maintenance of monuments and for the benefit of public cemeteries and lots therein; provided that the city or town shall lawfully consent.'

Approved February 8, 1883.

Chapter 107.

An act to amend section one of chapter twenty-two of the Revised Statutes, relating to division fences.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 22, R. S., amended.

Section one of chapter twenty-two of the revised statutes is hereby amended by adding after the word "walls," in the second line, the words 'iron or wire,' so that said section as amended shall read as follows :

What are legal fences

'SECT. 1. All fences four feet high and in good repair, consisting of rails, timber, boards, stone walls, iron or wire; and brooks, rivers, ponds, creeks, ditches and hedges, or other things which, in the judgment of the fence viewers having jurisdiction thereof are equivalent thereto, shall be accounted legal and sufficient fences; *provided, however,* that all barbed wire fences hereafter built shall not be accounted legal and sufficient fences unless they are protected by an upper rail or board of wood.'

Approved February 8, 1883.

Chapter 108.**CHAP. 108**

An Act to amend section one, chapter twenty-four, of the Revised Statutes, relating to pauper settlements.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter twenty-four, section one, specification one, of the revised statutes, is hereby amended by adding thereto the following words: 'and no derivative settlement shall be acquired or changed by a marriage so procured, but the children of such marriage and their descendants shall have the settlement they would have had if no such marriage had taken place. And the same rule shall be applied in all controversies touching the settlement of paupers between the town by whose officers a marriage is thus procured and any other town, whether the person whose marriage is thus procured is a pauper at the time of the marriage or becomes so subsequently.' So that said specification, amended, shall be as follows :

Sec. 1, ch. 24, R.
S., amended.

'I. A married woman has the settlement of her husband, if he has any in the state ; if he has not, her own settlement is not affected by her marriage. When it appears in a suit between towns involving the settlement of a pauper, that a marriage was procured to change it by the agency or collusion of the officers of either town or any person having charge of such pauper under authority of either town, the settlement is not affected by such marriage ; and no derivative settlement shall be acquired or changed by a marriage so procured, but the children of such marriage and their descendants shall have the settlement they would have had if no such marriage had taken place. And the same rule shall be applied in all controversies touching the settlement of paupers between the town by whose officers a marriage is thus procured, and any other town, whether the person whose marriage is thus procured is a pauper at the time of the marriage or becomes so subsequently.'

Pauper settle-
ment of married
women.

Approved February 8, 1898.

CHAP. 109

Chapter 109.

An act to amend section sixteen of chapter five of the Revised Statutes relating to lands reserved for public uses.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 16, ch. 5, R.
S., amended.

SECT. 1. Section sixteen of chapter five of the revised statutes is hereby amended by striking out the word "assessors" in the twelfth and fifteenth lines and inserting in each of said lines the word 'treasurer,' by adding after the words "by the treasurer" in the fifteenth line the words 'of state;' by striking out the word "and" in the seventeenth line and by adding at the end of said section the words 'and that the treasurer of such plantation has given bond as required by law,' so that said section as amended shall read as follows :

When and how
school funds are
to be paid over.

'SECT. 16. The interest shall be added to the principal of such fund, until the inhabitants of such township or tract are incorporated into a town, or organized as a plantation, and establish in such plantation one or more school districts according to law. When any such township is incorporated as a town, said funds belonging to it shall be paid over by the treasurer of state to the treasurer of the trustees of the ministerial and school funds in such town, to be added to the funds of that corporation, and shall be held and managed as other school funds of that town are required by law to be held and managed. If such township or tract is organized as a plantation, the interest of said fund shall be paid annually by the treasurer of state to the treasurer of such plantation, to be applied for the support of schools according to the number of scholars in each district. The interest to be paid shall be cast up to the first day of January in each year, and shall be paid to such treasurer by the treasurer of state on producing satisfactory evidence that such plantation is organized, and school districts established therein according to law; that assessors are duly sworn and qualified and that the treasurer of such plantation has given bond as required by law.'

Interest to be
paid annually to
treasurer of
plantation.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 110.**CHAP. 110**

An Act in reference to lien on choses in action and the enforcement thereof.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section thirty-nine of chapter ninety-one of the revised statutes is hereby amended by striking out the word "article," after the word "any," in the first line of said section, and inserting therein the words 'stock or certificate thereof, bond, note, account or other chose in action, or any other personal property,' so that said section as amended shall read as follows :

Sec. 39, ch. 91,
R. S., amended.

'SECT. 39. Any person having a lien on any stock or certificate thereof, bond, note, account, or other chose in action, or any other personal property in his possession, may enforce it by a sale thereof, as hereinafter provided.'

Lien on choses in action, or goods in possession, may be enforced by sale.

Approved February 8, 1883.

Chapter 111.

An Act to prevent the fraudulent removal or concealment of mortgaged personal property.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Whoever with the fraudulent intent to place mortgaged personal property beyond the control of the mortgagee, removes or conceals, or aids or abets in removing or concealing the same, and any mortgagor of such property who assents to such removal or concealment, shall be punished by fine not exceeding one thousand dollars or by imprisonment not exceeding one year.

Penalty for concealing or removing mortgaged personal property

Approved February 8, 1883.

Chapter 112.

An Act to restore the salary of the Judge of the Superior Court in Kennebec County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The salary of the judge of the superior court of the county of Kennebec shall be two thousand dollars a year, payable quarterly.

Salary of judge of superior court, Kennebec county, established.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1883.

CHAP. 113.**Chapter 113.**

An Act in relation to the salary of the Judge of the Superior Court for the County of Cumberland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 150,
public laws of
1879, amended.

SECT. 1. So much of section one of chapter one hundred and fifty of the public laws of the year eighteen hundred and seventy-nine as relates to the compensation of the judge of the superior court for the county of Cumberland is hereby repealed and the compensation of said judge shall be restored and be the same hereafter as it was previous to the passage of the statute aforesaid.

Salary of judge of
superior court for
Cumberland
county, restored.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 114.

An Act providing for a change of time for holding the April session of the county commissioners for the County of Waldo.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 6, ch. 78, R.
S., amended.
Sessions of county
commissioners,
Waldo county,
changed.

The April session of the county commissioners for the county of Waldo, shall hereafter be held on the second Tuesdays of April in each year instead of on the third Tuesdays of said month, as now provided by section six of chapter seventy-eight of the revised statutes.

Approved February 9, 1881.

Chapter 115.

An act to amend section one of chapter one hundred and twenty-six of the Revised Statutes, in relation to mortgaged property.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 126, R.
S., amended.

Section one of chapter one hundred and twenty-six of the revised statutes is hereby amended by inserting after the word "sells," in said section, the words 'conveys, mortgages or pledges,' so that said section, as amended, shall read as follows :

'SECT. 1. Whoever, designedly and by any false pretense or privy or false token, and with intent to defraud, obtains from another any money, goods or other property, or his signature to any written instrument, the false making of which is forgery, or whoever, knowingly and with intent to defraud, sells, conveys, mortgages or pledges to another any personal property on which there is an existing mortgage or to which he has no title, without notice to the purchaser of such mortgage or of such want of title, shall be deemed guilty of cheating by false pretenses and be punished by imprisonment not more than seven years or by fine not exceeding five hundred dollars.'

CHAP. 116

Cheating by false pretenses.

Approved February 9, 1893.

Chapter 116.

An act in relation to Corporations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All corporations organized under the provisions of section eighteen, chapter forty-eight, of the revised statutes, and acts amendatory thereof and additional thereto, or under the provisions of chapter sixty-five of the public laws of eighteen hundred and seventy-six, and acts amendatory thereof and additional thereto, shall fix the amount of their capital stock, which shall not be less than one thousand dollars nor more than two million dollars.

Capital stock, amount of, how established.

SECT. 2. In case the stockholders of any such company already organized as aforesaid, or thereafter so organized, find that the amount of its capital stock is insufficient for the purposes for which said corporation is organized, or that the number of directors is inconvenient for the transaction of its business, the stockholders may, by a vote representing a majority of the stock issued, increase the amount of the capital stock of said corporation to any amount not exceeding two million dollars, and may change the number of their directors in like manner, and the corporation shall give notice of such change to the secretary of state within ten days after said vote.

Capital may be increased or number of directors changed by vote of stockholders.

CHAP. 117

Inconsistent acts
repealed.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SECT. 4. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 117.

An Act to enable cities, towns, cemetery corporations and trust companies to receive title to private cemeteries and to hold funds for repair of same.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Cities, towns and
cemetery corpo-
rations, may re-
ceive title to land
for private bury-
ing grounds.

Ground, etc.,
exempt from
liability for debt.

Cities, etc., may
hold in trust,
funds for repair
of grounds.

—Investment of.

Acceptance of
lands to be re-
corded in registry
of deeds.

SECT. 1. Any city, town, cemetery corporation or trust company may accept any conveyance of land not exceeding half of one acre, to be forever held, kept and used for a private or family burying ground for the grantors and such of their heirs and relations by blood or marriage as the conveyance shall designate. Such lot and all erections thereon, including the erection and maintenance of the same, and fixtures thereto which shall be suitable for its use or adornment as a burying ground, shall be forever inalienable and indivisible, and exempt from liability for debt. Such city, town, corporation or company may also accept and forever hold any donation or legacy for insuring proper care and attention to any burial lot or ground and the avenues thereof and the monuments thereon. Having accepted such donation or legacy, said trustee shall be legally bound to perform the duties appertaining to the trust as lawfully specified in the writing creating the trust, or in default of such specification, as required by law, and as in cases of public charity.

SECT. 2. Every trust fund authorized by this act shall be safely invested in United States, state, county, city or town securities; and the annual income only shall be expended in performance of the requirements of the trust.

SECT. 3. A copy of the record of the vote of the trustee accepting a conveyance of lands under this act shall be indorsed on the conveyance and there certified by the clerk of the grantee, and recorded in the registry of deeds with the conveyance.

Approved February 14, 1883.

Chapter 118.

CHAP. 118

An act amendatory to section one hundred and sixty-seven of chapter six of the Revised Statutes relating to collection of taxes in incorporated places on real estate of resident owners.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section one hundred and sixty-seven of chapter six of the revised statutes is hereby amended by adding after the last word of said section, the following words: 'but notice of sales of real estate within any village corporation, for unpaid taxes of said corporation may be given by posting notices thereof in the same manner and at the same places that warrants for corporation meetings are therein required to be posted,' so that said section, as amended, shall read as follows :

Sec. 167, ch. 6,
R. S., amended.

'SECT. 167. For all taxes legally assessed on real estate belonging to resident proprietors and on equitable interests assessed under section three of this chapter, a lien is hereby created which shall continue in force until the payment thereof. If any such tax remains unpaid for the term of nine months from the date of the assessment, the collector may give notice thereof, and of his intention to sell so much of such real estate or interest as is necessary for the payment of said tax and all charges, by posting notices thereof in the same manner and at the same places that warrants for town meetings are therein required to be posted, six weeks before the day of sale, designating the name of the owner, if known, the right lot and range, the number of acres as near as may be, the amount of tax due and unpaid, and such other short description as is necessary to render it certain and plain; and shall lodge with the town clerk a copy of such notice, with his certificate thereon that he has given notice of the intended sale as required by law. Such copy and certificate thereon shall be recorded by said clerk, and the record so made shall be open to the inspection of all persons interested. It shall be the duty of the clerk to furnish to any person desiring it, an attested copy of such record, on receiving payment or tender of payment of a reasonable sum therefor; but notices of sales of real estate within any village corporation for unpaid taxes of said corporation, may be given by posting notices thereof in the same manner and at the same places

Lien for taxes on
real estate.

How enforced by
sale of property.

Notice and record
of it.

Record to be open
and clerk to fur-
nish copy.

Notices of sale in
village corpora-
tions, how given.

CHAP. 119 that warrants for corporation meetings are therein required to be posted.'

Approved February 14, 1883.

Chapter 119.

An Act to repeal section two of chapter fifty-eight of the Public Laws of eighteen hundred and eighty-one, in relation to a bounty on bears.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 2, ch. 58,
public laws 1881,
repealed.

SECT. 1. Section two of chapter fifty-eight of the public laws of eighteen hundred and eighty-one, in relation to a bounty on bears is hereby repealed.

SECT. 2. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 120.

An Act relating to the taking of Herring and canning Sardines.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Taking herring
for canning pur-
poses less than
eight inches long,
between Dec. 15
and April 15,
prohibited.

SECT. 1. No person shall catch, take, preserve, sell or offer for sale, within the state, any herring for canning purposes, less than eight inches long, measured from one extreme to the other, between the fifteenth day of December and the fifteenth day of April next following.

Packing sardines,
between Dec 15
and April 15,
prohibited.

SECT. 2. No person shall pack, or can any sardines, of any description, between the fifteenth day of December and the fifteenth day of April next following.

Penalty for
violation.

SECT. 3. Any person violating the provisions of this chapter shall be punished by a fine of twenty dollars for every one hundred cans so packed or canned, and for every one hundred herring taken contrary to the provisions of section one, to be recovered in an action of debt to be brought by any person complaining of the same, one-half to the complainant and the other half to the town in which said offense is committed.

Approved February 14, 1883.

Chapter 121.

CHAP. 121

An Act to provide for greater security against fire in buildings used for public purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Every church, theatre, hall, or other building or structure intended to be used temporarily or permanently for any public purpose, and every school house or school room, public or private, shall have all inner doors, intended to be used for egress therefrom, open outwards.

Inner doors of public buildings shall open outward.

SECT. 2. All outer doors of buildings or structures of the kind mentioned in the preceding section shall be kept open when such buildings or structures are used by the public, unless such doors open outwards ; except that fly doors opening both ways may be kept closed.

Outer doors shall be kept open in certain cases.

SECT. 3. Every public house where guests are lodged, and every shop, mill, factory and other building in which any trade, manufacture or business is carried on which requires the presence of workmen or other persons in any part thereof above the first story, and all halls and other rooms used for public assembly or for public amusement, shall at all times be provided with suitable and sufficient fire escapes, outside stairs or ladders from each story or gallery above the level of the ground, easily accessible to all inmates in case of fire or of an alarm of fire ; the sufficiency thereof to be determined as provided in the following section.

Suitable fire escapes shall be provided to hotels, etc.

SECT. 4. In towns or parts of towns where there is no organized fire department, it shall be the duty of the municipal officers annually to make careful inspection of the precautions and safeguards provided in compliance with the foregoing requirements, and to pass upon their sufficiency in respect to arrangement and number, and upon their state of repair ; and to direct and order such alterations, additions and repairs as they may adjudge necessary. In towns, cities and villages which have an organized fire department, the duties aforesaid shall be discharged by the board of fire engineers.

Municipal officers and fire engineers shall inspect safeguards and order repairs.

SECT. 5. Such municipal officers or fire engineers shall give written notice to the occupant of such building, room, hall or other place hereinbefore specified, also to the owner thereof, if known, of their determination as to the sufficiency of said precautions and safeguards, specifying in said notice,

—shall give written notice as to sufficiency of safeguards.

CHAP. 121

any alteration, addition or repair which they deem necessary and require. Sixty days shall be allowed after such notice and order, for compliance with the same.

Penalty if owner neglects to comply with order for repairs.

SECT. 6. Any owner or occupant who neglects or refuses within the time so allowed to comply with such order, forfeits fifty dollars, and an additional sum of five dollars a day for every day's continuance of such neglect or refusal; and the building or part of building so occupied shall be deemed to be a common nuisance, without any other proof thereof than proof of its use; and the keeper shall be subject to the penalties provided in case of other nuisances. And said officers may forbid the use of such building for any public purpose until their order has been complied with. And if the owner or occupant of said building lets or uses the same in violation of such order, said owner or occupant forfeits not less than twenty nor more than fifty dollars for each offense.

Municipal officers and engineers shall give certificate of sufficiency of safeguards.

SECT. 7. Whenever the municipal officers or engineers, upon inspection, find that proper safeguards and precautions for escape in case of fire, or of alarm, have been provided, it shall be their duty to give to the occupant of such building a certificate under their hands of such fact; and such certificate shall be valid only for one year from its date. It shall be the duty of such officers to return to the clerk's office of their town or city, monthly, a list of such certificates by them issued, which the clerk shall record in a book kept for that purpose.

—shall return lists of same to town clerks for record.

—fee for inspection.

SECT. 8. Every person receiving such certificate shall pay to such officers the sum of two dollars therefor, and shall keep such certificate posted in the building affected thereby. Such annual certificate, so posted, is to be taken as prima facie evidence of the inspection of such building, and of its provision with the suitable safeguards and precautions hereinbefore mentioned.

Certificate, posted in building, evidence of inspection.

—penalty for neglect to procure or post same.

SECT. 9. Every occupant of such building, who neglects or refuses to procure such certificate, or to have the same posted as aforesaid, forfeits ten dollars for each and every week he so neglects and refuses.

Penalty if officers neglect to perform duty.

SECT. 10. Every municipal officer or fire engineer who shall refuse or neglect to perform the duties imposed upon him by this act, forfeits the sum of fifty dollars.

SECT. 11. All fines and forfeitures imposed by this act shall be recovered by and for the town or city where the building is located, by an action on the case, or by indictment.

CHAP. 122

Fines, how recovered.

SECT. 12. Chapter seventy of the public laws of the year eighteen hundred and seventy-eight, and chapter fifty of the public laws of the year eighteen hundred and eighty-one, are hereby repealed.

Certain acts repealed.

Approved February 14, 1883.

Chapter 122.

An Act to establish the manner of calling meetings of village corporations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The meetings of any village corporation may be notified by the person to whom the warrant is directed by his posting up attested copies thereof, in two or more public and conspicuous places within the limits of the corporation seven days before the meeting, instead of as now provided by the act creating said corporation, provided that such corporation shall first at a legal meeting, designate at what and how many places such notices shall be posted.

Meetings of village corporations how called.

Approved February 14, 1883.

Chapter 123.

An Act regulating the compensation of Clerk of the Judicial Courts in the county of Piscataquis.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The clerk of the judicial courts of Piscataquis county shall hereafter receive an annual salary of seven hundred dollars to be paid from the fees of his office only in quarterly payments ; said sum shall be in full compensation for the performance of all duties required of him by law, including those performed by him as clerk of the county commissioners, or by clerk pro tem, appointed by him under section seven of chapter seventy-eight of the revised statutes. He shall render an

Salary of clerk of courts of Piscataquis county, established.

CHAP. 124

Shall render an
account of fees
of office.

account of all fees of office as required by law, be responsible for the same whether received or not, and pay the amount over the sum of seven hundred dollars to the treasurer of the county, for the use thereof.

Approved February 14, 1883.

Chapter 124.

An Act additional to chapter seventy-four of the Public Laws of eighteen hundred and seventy-eight, relating to insolvency.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Debts due state
prison, excepted.

Debts due to the state as entitled to priority under section thirty-six of this act shall not be held to include debts to the state in behalf of the state prison.

Approved February 14, 1883.

Chapter 125.

An Act to amend section one of chapter sixty of the laws of eighteen hundred and eighty-one, in relation to the registry of deeds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 60,
public laws 1881,
amended.

Section one of chapter sixty of the public laws of eighteen hundred and eighty-one is hereby amended by inserting after the word "commonwealth" in the fourth line, 'or of said commonwealth of Massachusetts of the lands of said commonwealth of Massachusetts in Maine,' so that said section, as amended, shall read as follows :

Certified copies
of record of deeds
in land office may
be recorded by
register of deeds,
and copies shall
be evidence,
when originals
would be.

'SECT. 1. A copy from the records now in the land office, of a deed from the state, of the land of the state, or of a deed from the state and the commonwealth of Massachusetts of the undivided lands of the state and said commonwealth, or of said commonwealth of Massachusetts of the lands of said commonwealth of Massachusetts in Maine; certified by the land agent or other legal custodian of such records, as a true copy of such record, may be filed and recorded in the registry of deeds, in the county where the land lies, and shall have the

same effect as if the deed itself had been recorded, and certified copies thereof, from such registry shall be evidence when the original would be.' CHAP. 126

Approved February 14, 1883.

Chapter 126.

An Act relating to taxes on personal property.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Specification one of section fourteen of chapter six of the revised statutes, as amended by chapter twenty-eight of the public laws of eighteen hundred and eighty-one, is hereby amended so to be as follows :

Sec. 14, ch. 6, R. S., as amended by ch. 28, public laws of 1881, further amended.

'First. All personal property employed in trade, in the erection of buildings or vessels, or in the mechanic arts, shall be taxed in the town where so employed on the first day of April in each year; *provided*, the owner, his servant, sub-contractor or agent, so employing them occupies any store, shop, mill, wharf, landing-place or ship-yard therein for the purpose of such employment.'

Personal property used in trade, building vessels, or in mechanic arts, where to be taxed.
Proviso.

Approved February 14, 1883.

Chapter 127.

An Act to provide for an annual examination of the accounts of the Treasurer of State.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The governor and council shall annually appoint a committee, consisting of not less than three citizens of the state, who shall carefully examine the accounts of the state treasurer as embodied in his annual report, and certify in writing the result of such examination; and said certificate shall be appended to his report. They shall also examine all canceled bonds and coupons and destroy the same by burning in the presence of the treasurer, giving him a certificate of such destruction. They shall make a sworn report of their doings as

Governor and council to appoint a committee annually to examine accounts of state treasurer.

Committee to destroy canceled bonds and coupons.

—to make a sworn report of doings.

CHAP. 128

Compensation,
and how paid.

such committee to the governor and council, and said report shall be entered on the records of the governor and council and filed in the office of the secretary of state. The compensation of said committee shall be fixed by the governor and council and paid from the contingent fund of the governor and council; and said committee may consist wholly or in part, of members of said council.

Approved February 15, 1883.

Chapter 128.

An Act authorizing the Land Agent to execute in behalf of the State, release deeds in certain cases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Land agent authorized to give release deeds in certain cases.

The land agent is hereby authorized and empowered to give release deeds in behalf of the state, in cases where conditional deeds have been given and the records in the land office show that the conditions have been fully complied with.

Approved February 15, 1883.

Chapter 129.

An Act to facilitate the preparation and issue of the annual report of the State Superintendent of Schools.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Soc. 8, ch. 124, public laws 1873, as amended by ch. 226, public laws of 1880, further amended.

SECT. 1. Section eight of chapter one hundred and twenty-four of the public laws of eighteen hundred and seventy-three, entitled "An Act in aid of Free High Schools," as amended by chapter two hundred and twenty-nine of the public laws of eighteen hundred and eighty, is further amended by substituting for the word "December," in the third line thereof, the word 'June,' so that said section shall read as follows :

S. S. committee to make annual returns.

'SECT. 8. The superintending school committee or committees having the supervision of any free high school or schools shall annually, before the first day of June, make returns under oath to the superintendent of common schools,

on blanks prepared and sent out by him, of the amount appropriated, and also the amount expended by each town or school district for instruction in such free high school or schools during the current year; also of the amount appropriated and the amount expended for common school purposes by each town or school district maintaining such free high school or schools; the number of weeks which such school or schools have been taught; the wages paid each teacher; the number of pupils registered; the average attendance; the number of pupils in each branch of study pursued and the amount received for tuition. If the superintendent of common schools shall be satisfied that the provisions of this act have been complied with, he shall certify to the governor and council the sum which each town or district is entitled to receive from the state under this chapter. If any town or district is dissatisfied with the decision of the superintendent of common schools, such town or district may appeal to the governor and council. The governor and council shall issue a certificate to the treasurer of the town or agent of the district for such amount as they may adjudge such town or district is entitled to receive from the state treasury. Any person or persons connected with the management of such free high schools, either as teacher, school agent, school committee or supervisor, who shall in any way aid or abet in defrauding the state into the payment in support of said schools of more than is contemplated by the spirit and tenor of this act, shall be punished by a fine of not less than five hundred dollars, or by imprisonment in the county jail for not less than one year.'

Superintendent of common schools to make awards.

—appeal.

Governor and council to certify amount to treasurer.

Penalty for defrauding state.

SECT. 2. Section ninety-two of chapter eleven of the revised statutes is hereby amended so as to read as follows:

'SECT. 92. The treasurer shall immediately after the first day of July, apportion to the towns all state school funds for the year according to the list of children furnished by the superintendent of common schools, as provided in section seventy-four. The number of scholars belonging to a town from which either the school committee or the municipal authorities thereof have failed to make the returns required by law, shall be reckoned by taking the number used as the basis of the last apportionment and deducting all scholars set off to other towns or incorporated into a new town within a

Treasurer of state to apportion school funds.

Basis when returns are not made.

CHAP. 130

Not to be paid
until return is
made.

year, and one-tenth of the remainder, and the residue shall be the basis of a new apportionment. Immediately after making the apportionment, the treasurer shall notify each town of its proportion, which shall not be paid to any town until its returns are made to the superintendent of common schools.'

Approved February 17, 1883.

Chapter 130.

An Act relating to fines and penalties recovered for violation of the fish and game laws.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Fines recovered
for violation of
fish and game
laws, how dis-
posed of.

SECT. 1. All fines and penalties hereafter recovered for the violation of chapters fifty and seventy-five of the public laws of eighteen hundred and seventy-eight, and all acts amendatory thereof, and of all laws now in force in this state for the protection of fish and game, shall be paid one-half to the complainant and one-half to any game and fish protective society or other sportsmen's association, which shall have been organized under the laws of Maine, and which may be located in the county where the said fines and penalties are recovered; *provided*, the said society or association shall expend the same in the propagation and cultivation of trout and salmon for the fresh water lakes and ponds of Maine, to be done under the direction and supervision of the fish commissioners. In case there may be more than one such society or association located in the county where said fines and penalties are recovered, the fish commissioners shall designate which society the money shall be paid to, or they may cause the same to be divided between them. If there is no such society or association in the county where such fines and penalties are recovered, then such fines and penalties shall be paid to the state fish commissioners, who shall appropriate the same as they may deem proper.

Provided.

Inconsistent acts
repealed.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

SECT. 3. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 131.**CHAP. 131**

An Act to amend section twelve of chapter eighty-three of the Revised Statutes of eighteen hundred and seventy-one, relating to the duties of trial justices.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That the words "is unable to" in the first line thereof, be stricken out and the word 'fails' inserted in lieu thereof, and that all the words after the word "if" in the seventh line thereof, to and including the word "continuance" in the ninth line thereof, be stricken out and the words 'said trial justice, who so appointed such time and place, or before whom such writ is returnable, fails to attend at the time and place fixed in such continuance, such action then and there,' be inserted in lieu thereof, so that said section, as amended, shall read as follows :

Sec. 12, ch. 83,
R. S., amended.

'SECT. 12. When a trial justice fails to attend at the time and place appointed by him for the trial of any suit already entered, or at which any writ is returnable before him, any other trial justice who might legally try the same, or any justice of the peace and quorum, residing in the same or adjoining town, may attend and continue such action once, to a day certain, not exceeding thirty days, and note the fact on the writ, and in his own docket ; and if said trial justice, who so appointed such time and place, or before whom such writ is returnable, fails to attend at the time and place fixed in such continuance, such action then and there may be entered before, and tried by some other trial justice of the same town, or if none such resides therein, then before some trial justice of the same county, who may render judgment and issue execution as if the action had been originally returnable before him.'

When justice is
unable to attend,
another may
continue.

Proceedings.

Approved February 17, 1883.

Chapter 132.

An Act to amend section four of chapter two hundred and thirty-five of the Public Laws of eighteen hundred and eighty, relating to remodeling the Board of Agriculture.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 4, ch. 235,
public laws 1880,
amended.

Section four of chapter two hundred and thirty-five of the public laws of eighteen hundred and eighty, entitled "An Act to remodel the Board of Agriculture," is hereby amended by striking out, in the sixteenth line, after the word "report," the clause, "in size not exceeding two hundred pages;" and also in the seventeenth line of said section by striking out the word "nine," and inserting in the place thereof the word 'five;' and also in the same line the word "one," and inserting in the place thereof the word 'five;' and also in the eighteenth line of said section by striking out the words "those in paper covers," and inserting in the place thereof the word 'each,' so that the said section, as amended, shall read :

Secretary, ap-
pointment and
duties.

'SECT. 4. The board shall appoint a secretary as its chief executive officer for a term of three years and until his successor shall be appointed, and may prescribe his duties, a part of which shall be to acquaint himself, by personal observation, investigation and correspondence, with the methods and wants of practical husbandry, the means of fertilization, the adaptation of various products to the soils and climate of Maine; also with the progress of scientific and practical agriculture elsewhere, with a view to the more complete development of the natural resources of the state.

—annual report,
number of copies
and distribution.

He shall annually, on or before the third Wednesday in January, present to the governor and council a report of the doings of the board and the results of his own labors and investigations, together with such communications, suggestions and recommendations as may be useful. Ten thousand copies of said report shall be printed; five thousand bound in paper covers, five thousand in cloth; one-half of each for the use of the legislature, and the remainder, after reserving a suitable number for foreign exchanges, for distribution, under the direction of the board, among the agricultural associations and the people of the state.'

Approved February 17, 1883.

Chapter 133.**CHAP. 133**

An Act to amend section two, chapter fifty-eight, of the Revised Statutes of eighteen hundred and seventy-one, in relation to the election of members of the Board of Agriculture.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section two, chapter fifty-eight of the revised statutes of eighteen hundred and seventy-one, is hereby amended by striking out, in the sixth line, the words "second Wednesday of December," and inserting in place thereof the words 'third Wednesday of January,' so that said section, as amended, shall read as follows :

Sec. 2, ch. 58, R. S., amended.

'SECT. 2. If there is more than one such society in any county, the executive officers of the oldest shall designate a time and place for a convention of five delegates, chosen at a regular meeting, from each society ; and the secretary of such oldest society shall give written notice thereof to the secretary of each other society. The convention shall be held prior to the third Wednesday of January, elect a president and secretary, and by ballot, a member of the board of agriculture for that county. If no election is thus made, the secretary shall immediately send to the governor and council the names of two or more persons having the highest number of votes, and they shall elect one of them. The written certificate of the secretary of the society or convention electing a member, shall be his credentials in the board.

If more than one society in a county, convention of delegates from each to elect member therefor.

If not so elected, governor and council to elect from highest candidates.

Credentials.

Approved February 17, 1883.

Chapter 134.

An Act to repeal chapter one hundred and four of the Public Laws of eighteen hundred and seventy-nine, relating to the taking of togue or trout in the Great Tunk Pond.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter one hundred and four of the public laws of eighteen hundred and seventy-nine, relating to the taking of togue or trout in Great Tunk pond, is hereby repealed.

Ch. 104, public laws 1879, repealed.

Approved February 17, 1883.

CHAP. 135

Chapter 135.

An Act to amend section three of chapter two hundred and forty-four of the Public Laws of eighteen hundred and eighty, entitled "An Act to tax express corporations, companies or persons carrying on express business in this state."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 3, ch. 244,
public laws 1880,
amended.

Section three of chapter two hundred and forty-four of the public laws, approved the nineteenth day of March, one thousand eight hundred and eighty, is hereby amended by adding thereto the following: 'except, however, that real estate owned by such corporations, companies or persons shall be taxed in the municipality where the same is situated as non-resident real estate; but the amount of taxes assessed upon such portion of real estate owned and actually used by them in the transaction of their business shall be deducted by the governor and council from the tax herein provided,' so that said section, as amended, shall read as follows :

Tax payable
annually.

'SECT. 3. The tax assessed upon corporations, companies and persons as aforesaid, shall be for the year commencing April one, in the year of our Lord one thousand eight hundred and eighty-three, and for every subsequent year, and payable to the state treasurer on or before the first day of May annually afterwards, and shall be in lieu of all local taxation, except, however, that real estate owned by such corporations, companies or persons shall be taxed in the municipality where the same is situated as non-resident real estate; but the amount of taxes assessed upon such portion of real estate owned and actually used by them in the transaction of their business shall be deducted by the governor and council from the tax herein provided.'

Real estate to be
taxed in municipi-
pality where
owned.
—amount to be
deducted from
state tax.

Approved February 20, 1883.

Chapter 136.

CHAP. 136

An Act to amend chapter fifty-five, section one, of the Revised Statutes, in relation to Libraries, Charitable Societies and Public Cemeteries.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The first section of chapter fifty-five of the revised statutes, as amended by chapter seventy-one of the public laws of the year eighteen hundred and seventy-six, is hereby further amended by inserting the words 'as a relief or benefit association for mutual assistance,' also the words 'as a monument or memorial association,' also the words 'educational, social, military, agricultural, moral, religious,' so as to read as follows, to wit :

Sec. 1, ch. 55, R. S., as amended by ch. 71, public laws 1876, further amended.

'SECT. 1. When seven or more persons desire to be incorporated as the proprietors of a social, military, literary, scientific, or a county law library ; as a masonic lodge or chapter of any order or degree ; as a lodge of the independent order of odd fellows ; as a division of the sons of temperance ; as a tent of reprobates ; as a grange of patrons of husbandry ; as a council of the sovereigns of industry ; as a relief or benefit association for mutual assistance ; as a monument or memorial association ; or as a society to promote in any way the cause of temperance ; or for any literary, scientific, musical, charitable, educational, social, military, agricultural, moral, religious or benevolent purpose whatsoever ; they may apply in writing to any justice of the peace in the county, and he may issue his warrant, directed to one of said applicants, requiring him to call a meeting of the applicants, at such time and place as the justice appoints.'

Certain societies, how incorporated.

SECT. 2. This act shall take effect when approved.

Approved February 21, 1883.

An Act to provide for the establishment of titles to lands among the Penobscot Indians, and for the preservation of evidence of such titles.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Governor and council to appoint commissioners to determine titles to lands among Penobscot Indians.

SECT. 1. Three suitable persons shall be appointed commissioners by the governor and council, whose duty it shall be to examine the titles of the several occupants or claimants of lots or parcels of land among the Penobscot Indians, and to determine, as between members of said tribe, who is the rightful and equitable owner of each of said lots or parcels.

—sessions of.

SECT. 2. Said commissioners shall sit at such times and places as shall best facilitate their labors, having regard for the convenience of those members of the tribe whose rights are to be considered by them, and within one year from the date of their appointment shall make to the governor and council a final report of their doings, containing a description of each lot, the ownership of which has been determined by them, and the names of the parties respectively entitled thereto, which report shall be deposited in the land office of the state for preservation. They shall also present an account of the time occupied and expense incurred in the performance of their duties to the governor and council, who shall audit said account and allow them reasonable compensation.

—report.

May employ a surveyor.

SECT. 3. When the boundaries of lots are in dispute, or cannot be found, and the commissioners are unable to determine the same by existing surveys or data, they may employ a competent surveyor to assist them in establishing such boundaries, whose account for services shall be audited by the governor and council and fair compensation allowed.

Powers.

SECT. 4. Said commissioners shall give all parties interested a reasonable opportunity to be heard ; shall have power to send for persons and papers ; summon, swear and examine witnesses ; take testimony under oath or otherwise ; and their award, or that of a majority of them, as to the rightful and equitable ownership of such lots or parcels of land shall be final and conclusive as to all members of said tribe.

Award, final.

Agent of tribe to be furnished copy of determination of commissioners.

SECT. 5. Said commissioners shall immediately, upon the completion of their labors, furnish the agent of said Penobscot Indians a copy of their determination as to description and ownership of lots, and said agent shall thereupon issue to

—to issue certificate to owners.

the individuals named therein a certificate in substance as follows : CHAP. 137

Whereas, and commissioners appointed by the governor and council of the state, under authority of the legislature, have determined that , a member of the Penobscot tribe of Indians, is the owner of the following described lot or parcel of land, viz :

Form of certificate.

Now, therefore, know all men by these presents, that I, , agent of the Penobscot tribe of Indians, do hereby assign, set out and confirm to said the aforescribed lot of land. To have and to hold to him, his heirs and assigns, during the pleasure of the legislature.

In witness whereof, I have hereunto set my hand and seal as agent of the Penobscot tribe of Indians, this day of in the year of our Lord one thousand eight hundred and

} Agent of the Penobscot
} tribe of Indians.

SECT. 6. Said agent shall record the return of the commissioners as made to him, and also the aforesaid certificates, when issued, in duplicate books suitable for the purpose, prepared with proper indexes, one of which shall be kept by said agent and his successors for ready reference, and the other shall be deposited in the registry of deeds of Penobscot county, to be kept as other records are there kept. For issuing the certificates aforesaid, making up the records as herein provided, and for such services as he may be called upon to render said commissioners in the performance of their duties, said agent shall receive such compensation as the governor and council may allow.

Return and certificates to be recorded.

Compensation of agent for services.

SECT. 7. Any Indian holding lands under the foregoing certificate, or by virtue of any assignment under the laws relating to the apportionment of the lands of said Penobscot tribe, may sell and convey the same to any member of the same tribe, with the approval of the agent ; *provided*, that no Indian shall hereafter be permitted to purchase lands upon the reservation of said tribe beyond his fair proportion of such reservation.

Any Indian holding land under certificate, may convey same to another.

Proviso.

SECT. 8. Conveyances made by virtue of section seven of this act shall be by release deed, duly executed and acknowledged, and shall have the approval of the agent written thereon ; and said deed and approval shall be recorded by the

Conveyances to be by release deed.

—to be recorded.

CHAP. 137

—until recorded,
not operative.

Record of death
of owner and
description of
lots to be kept.

Deeds made and
deposited with
agent may be
delivered after
death of grantor,
in certain cases.

Assignments of
unassigned lands,
to whom made.

—to be accom-
panied by certi-
ficate of agent.

Form of certi-
ficate

agent without fee, in a book kept by him for that purpose, and by the register of deeds of Penobscot county, in a like book kept in the registry of deeds in said county, upon payment of twenty-five cents for each deed so recorded. And until recorded as herein provided, no deed made as aforesaid shall be operative to pass any title whatever.

SECT. 9. It shall also be the duty of the agent of said tribe to enter upon his record, a memorandum of the death of any Indian owning lands, the date of such death, a description of the lot or lots owned by the deceased, and the names of those, so far as ascertainable, who are entitled to such lands by inheritance.

SECT. 10. Deeds made by any Indian of the Penobscot tribe as in section eight, may be deposited with the agent of said tribe, to be delivered by him to the grantee named therein, after the death of the grantor, if the fact that such deed is so deposited to be so delivered, shall appear by the deed itself; and when delivered by said agent, it shall have the effect to pass all the title the grantor had in the premises described therein at the time of his death.

SECT. 11. Assignments hereafter made of unassigned lands of the tribe, shall be to members who never have had assigned to them their proportion of the tribe's lands, or to whom no such assigned portion has ever come by way of inheritance, or who do not already hold by assignment, purchase or otherwise, their fair share of said lands; and shall be accompanied by a certificate from the agent, to be recorded as in section eight of this act, which shall be in form substantially as follows:

Know all men by these presents, that I, _____ agent of the Penobscot tribe of Indians, have caused to be surveyed and set off to _____ a portion of the lands belonging to said tribe on the islands in Penobscot river, as contemplated by the acts of the legislature, bounded and described as follows:

To have and to hold to him, his heirs and assigns, as contemplated by said acts during the will of the legislature.

In witness whereof, I have hereunto set my hand and seal as agent of the Penobscot tribe of Indians, this _____ day of _____ in the year of our Lord one thousand eight hundred and _____

SECT. 12. Any member of said tribe who has abandoned, or may abandon it, and who has joined, or may join, any other tribe, shall forfeit all lands assigned to him, and the same may be assigned anew, as provided in section eleven of this act.

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Abandonment of tribe shall work forfeiture of lands.

SECT. 13. The provisions of this act are to be applied to house-lots on the point of Oldtown island, as well as to lands allotted for agricultural purposes, and the certificates herein prescribed shall be effectual to confer title to either class.

Provisions of this act, how applied.

SECT. 14. Copies of deeds or certificates recorded as provided in this act, duly attested by the register of deeds or by the agent of said tribe, shall be admissible in evidence in all actions or controversies relating to title to lands between members of said tribe.

Copies of deeds admissible as evidence in actions, etc.

SECT. 15. All acts or parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

SECT. 16. This act shall take effect when approved.

Approved February 21, 1863.

Chapter 138.

An Act for the protection of Lobsters.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. There shall be a close time for lobsters, from the fifteenth day of August to the fifteenth day of November in each year, during which close time, no lobster shall be fished for, taken, caught, killed, bought, sold, exposed for sale or in possession in cars, pounds or otherwise, under a penalty of fifty dollars for the offense and one dollar for each and every lobster so taken, caught, killed, bought, sold, exposed for sale or in possession as aforesaid.

Close time for lobsters, established.

Penalty for violation.

SECT. 2. It shall be unlawful to fish for, catch, buy, sell, expose for sale or possess for canning purposes, or otherwise, between the first day of April, and the first day of August, of each year, any female lobster, in spawn or with eggs attached, or any young lobster less than nine inches in length, measuring from head to tail, exclusive of claws or feelers; and when caught they shall be liberated alive, at the risk and cost of

Close time for female and young lobsters, established.

CHAP. 139Penalty for
violation.Penalties, how
recovered.

the party taking said lobsters, under a penalty of one dollar for each and every lobster so caught, bought, sold, exposed for sale, in possession or not so liberated.

SECT. 3. The penalties imposed by this act may be recovered in the manner provided by section twenty-six of chapter seventy-five of the public laws of eighteen hundred and seventy-eight.

Approved February 21, 1883.

Chapter 139.

An Act to amend chapter fifty-seven, section six, of the Revised Statutes, relating to tolls for grinding grain.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 6, ch. 57, R.
S., amended.

Section six of chapter fifty-seven, of the revised statutes, is hereby amended by striking out the words "except buckwheat and india wheat," and such part of said section as relates to the same, so that it will read, when amended, as follows :

Tolls established.

'SECT. 6. The toll for grinding, cleansing and bolting all kinds of grain, shall not exceed one-sixteenth part thereof.'

Approved February 21, 1883.

Chapter 140.

An Act to increase the salaries of the judge and register of probate and of the county attorney for the county of Aroostook.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salary of judge
of probate, Aroos-
took county,
fixed.

SECT. 1. The salary of judge of probate for the county of Aroostook shall be four hundred dollars, instead of the sum now fixed by law.

—register of
probate.

SECT. 2. The salary of the register of probate for the county of Aroostook shall be five hundred dollars, instead of the sum now fixed by law.

—county attor-
ney.

SECT. 3. The salary of the county attorney for the county of Aroostook shall be three hundred dollars, instead of the sum now fixed by law.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

CHAP. 141

Inconsistent acts repealed.

SECT. 5. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 141.

An Act to confer upon sheriffs, deputy sheriffs, police officers and constables, the powers of game wardens and their deputies. .

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sheriffs, deputy sheriffs, police officers and constables, are hereby vested with all the powers conferred by law upon game wardens and their deputies, and shall be allowed for their services the same fees as are now prescribed for sheriffs and their deputies.

Sheriffs and other officers vested with powers of game wardens.

Approved February 24, 1883.

Chapter 142.

An Act to amend chapter fifty of the Public Laws of eighteen hundred and seventy-eight, relating to the protection of moose, caribou or deer.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section three of chapter fifty of the public laws of eighteen hundred and seventy-eight is hereby amended by inserting the word 'hunted' before the word "killed," so that, as amended, said section shall read as follows :

Sec. 3, ch. 50, public laws of 1878, amended.

'SECT. 3. No person shall hunt, kill or destroy with dogs, any moose within this state under a penalty of one hundred dollars for every moose so hunted, killed or destroyed ; and no person shall, between the first day of January and the first day of October in each year, in any manner, hunt, kill or destroy any moose under the same penalty.'

Hunting moose with dogs, prohibited.—penalty.

Hunting from Jan. 1 to Oct. 1 in each year, prohibited.

SECT. 2. Section four of said chapter fifty is hereby amended by inserting the word 'hunted' before the word "killed," so that, as amended, said section shall read as follows ;

Sec. 4 amended.

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Hunting deer or
caribou with
dogs, prohibited.
—penalty.

Hunting from
Jan. 1 to Oct. 1,
prohibited.

SECT. 4. No person shall hunt, kill or destroy with dogs, any deer or caribou within this state under a penalty of forty dollars for every such deer or caribou so hunted, killed or destroyed; and no person shall, between the first day of January and the first day of October, in any manner hunt, kill or destroy any deer or caribou, under the same penalty as above provided. Any person may lawfully kill any dog found hunting moose, deer or caribou.'

Approved February 24, 1883.

Chapter 143.

An Act amending section six, chapter one hundred and twenty, of the Public Laws of eighteen hundred and seventy-six, relative to profile paper.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec 6, ch. 120,
public laws 1876,
amended.

SECT. 1. Section six, chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six, shall be amended so that in the fifth and sixth lines, instead of the words "a vertical scale of ten to one compared to the horizontal scale," there shall be the words 'the relative scales of profile paper in common use,' so that the first sentence of section six, chapter one hundred and twenty, shall read: 'Every corporation organized under this act, before commencing the construction of its road, shall present to the board of railroad commissioners a petition for approval of location, accompanied with a map of the proposed route on an appropriate scale, and with a profile of the line on the relative scales of profile paper in common use, and with a report and estimate prepared by a skillful engineer from actual survey.'

Petition for ap-
proval of location.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1883.

Chapter 144.

CHAP. 144

An Act for the protection of salmon, landlocked salmon and trout.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No person shall fish for, take, catch, kill or destroy any fish in any waters, except tide waters, with any net, seine, weir or trap, under a penalty of fifty dollars for the offense and ten dollars for each salmon or landlocked salmon so taken, caught, killed or destroyed.

Taking salmon, etc., with net, seine, weir or trap, prohibited, except in tide waters.
—penalty.

SECT. 2. No person shall kill or destroy any landlocked salmon less than nine inches in length or any trout less than five inches in length, under a penalty of five dollars for the offense and fifty cents for each and every landlocked salmon or trout so killed or destroyed. Any person having in possession any landlocked salmon or trout of less than the above dimensions shall be deemed to have killed or destroyed them in violation of the provisions of this section.

Killing salmon and trout of less than certain lengths, prohibited.
—penalty.

SECT. 3. No person shall take, catch, kill or have in possession, at any one time, for the purpose of transportation, more than fifty pounds in weight of landlocked salmon or trout or of both together, nor shall any such be transported except in the possession of the owner thereof, under a penalty of fifty dollars for the offense, and five dollars for each and every pound of landlocked salmon or trout or both together so taken, caught, killed, in possession or being transported in excess of fifty pounds in weight; and all such fish transported in violation of the provisions of this section shall be liable to seizure on complaint and shall be decreed by the court, forfeited to the use of the party prosecuting. Any person having in possession more than fifty pounds in weight of the fish aforesaid, shall be deemed to have taken them in violation of this section.

Possession, evidence of violation.

Transportation of more than fifty pounds, prohibited.

—penalty.

SECT. 4. All penalties imposed by any of the sections of this act may be recovered in the manner provided by section twenty-six, chapter seventy-five of the public laws of eighteen hundred and seventy-eight.

Penalties, how recovered.

CHAP. 145

Chapter 145.

An Act to amend section fourteen of chapter fifty of the Public Laws of eighteen hundred and seventy-eight, relating to insectivorous birds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 14, ch. 50,
public laws 1878,
amended.

Section fourteen of chapter fifty of the public laws of eighteen hundred and seventy-eight, is hereby amended by adding thereto the following words, viz : 'under a penalty of not less than one dollar, nor more than five dollars for each of said birds killed, and the possession by any person of such dead bird, shall be prima facie evidence that such person killed such bird,' so that as amended, said section will read as follows :

Killing, &c., of
insectivorous
birds, prohibited.

—penalty.

'SECT. 14. No person shall kill, or have in his possession, except alive, any of the birds commonly known as larks, robins, swallows, sparrows or orioles, or other insectivorous birds, crows and hawks excepted, under a penalty of not less than one dollar, nor more than five dollars, for each of said birds killed, and the possession by any person of such dead bird, shall be prima facie evidence that such person killed such bird.'

Approved February 26, 1883.

Chapter 146.

An Act providing that a party in possession of real property may petition to compel supposed claimant of such property to bring action to try his title.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Supposed claim-
ant to real estate
may be com-
pelled to bring
action to try title.

SECT. 1. Any person in possession of real property, claiming an estate of freehold therein, or an unexpired term of not less than ten years, may file a petition in the supreme judicial court setting forth his estate, whether of inheritance for life, or for years, describing the premises, averring that he is credibly informed and believes that some person or persons named in the petition makes some claim adverse to his estate, and praying that such person or persons may be summoned to show cause why they should not bring an action to try their alleged title. A person who is in the enjoyment of an easement shall be held to be in possession of real

Enjoyment of an
easement, suffi-
cient possession
for such purpose.

property within the meaning and for the purposes of this **CHAP. 147**
section.

SECT. 2. Upon such petition, the court shall order notice to be given to the supposed claimants, returnable at a court to be holden in the county where the property, or some portion of it, lies; and if upon return of the order of notice, duly executed, they make default, or, having appeared, disobey the lawful order of the court to bring an action and try their title, the court shall enter a decree that they be forever debarred and estopped from having or claiming any right or title, adverse to the petitioner, in the premises described. If the petitioner prefers, the petition may be inserted like a declaration in a writ, and served by copy, like a writ of original summons. If the persons so summoned appear and disclaim all right and title adverse to the petitioner, they shall recover their costs. If they claim title, they shall, by answer, show cause why they should not be required to bring an action and try such title; and the court shall make such decree respecting the bringing and prosecuting of such action as may seem equitable and just.

Notice to supposed claimant.

If claimant is defaulted, etc., decree shall be entered against him.

How petition may be served.

If persons summoned, disclaim title, they shall recover costs.

Claimant must show cause why he should not be required to bring action.

Approved February 26, 1883.

Chapter 147.

An Act to establish the salary of the Judge of Probate of the County of Penobscot.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

The judge of probate of the county of Penobscot, shall receive the annual salary of eight hundred dollars, from and after the first day of January, in the year of our Lord eighteen hundred and eighty-three, to be paid in the manner provided by law for such salaries in other counties, instead of the sum allowed by chapter one hundred and fifty of the public laws of the year eighteen hundred and seventy-nine.

Salary of judge of probate of Penobscot county, established.

Approved February 26, 1883.

CHAP. 148

Chapter 148.

An Act to repeal chapter fifty-six of the Public Laws of eighteen hundred and seventy-eight, and the first and second sections of chapter forty-eight of the Public Laws of eighteen hundred and seventy-five, relating to the public debt.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 56, public laws 1878, and sections 1 and 2, ch. 48, public laws 1875, repealed.

SECT. 1. Chapter fifty-six of the public laws of eighteen hundred and seventy-eight, entitled, "An Act to amend chapter forty-eight of the public laws of eighteen hundred and seventy-five, relating to the public debt," and the first and second sections of chapter forty-eight of the public laws of eighteen hundred and seventy-five, entitled, "An Act renewing a portion of the public debt, discontinuing the sinking fund of eighteen hundred and sixty-five, and abolishing the office of commissioner of the sinking fund," are hereby repealed.

SECT. 2. This act shall take effect when approved.

Approved February 26, 1883.

Chapter 149.

An Act to apportion the state for representatives to Congress.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Congressional apportionment.

SECT. 1. The counties of York and Cumberland shall compose the first district, and be entitled to one representative. The counties of Oxford, Franklin, Androscoggin, Sagadahoc, Knox and Lincoln shall compose the second district, and be entitled to one representative. The counties of Kennebec, Somerset, Waldo and Hancock shall compose the third district, and be entitled to one representative. The counties of Penobscot, Piscataquis, Aroostook and Washington shall compose the fourth district, and be entitled to one representative.

Election of representatives.

SECT. 2. The election of representatives to congress shall take place and be on the second Monday of September, one thousand eight hundred and eighty-four, and thereafter biennially.

SECT. 3. The representatives chosen in the several districts shall, at the time of their election, be residents therein. The foregoing division of the state into representative districts, shall be, and continue in force until an apportionment shall be made for representatives to congress, after taking the eleventh census.

SECT. 4. In case any vacancy among the representatives to congress requires an election prior to the second Monday of September, one thousand eight hundred and eighty-four, or at any other time, then such vacancy shall be filled by the proper district under this apportionment.

Vacancies, how filled.

SECT. 5. This act shall take effect when approved.

Approved February 26, 1883.

Chapter 150.

An Act relative to the taxation of Horse Railroad Companies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Horse railroad corporations and associations are hereby made subject to the provisions of the act entitled "An Act relating to the taxation of railroads," approved March seventeen, one thousand eight hundred and eighty-one, except that the tax shall be ascertained as follows, when the gross average receipts per mile shall not exceed one thousand dollars, the tax shall be equal to one-tenth of one per cent. on the gross transportation receipts ; and for each one thousand dollars additional average gross receipts per mile, or fractional part thereof, the rate shall be increased one-tenth of one per cent.

Taxation of horse railroads provided for.

SECT. 2. This act shall take effect when approved.

Approved February 26, 1883.

CHAP. 151

Chapter 151.

An Act additional to chapter ninety-two of the Revised Statutes, concerning mills and mill-dams.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Right to erect and maintain dams for purpose of cutting ice.

In order to create ponds for the purpose of cutting and harvesting ice for the market, any persons or corporation may erect and maintain, on their own land, a dam or dams, on streams not navigable or floatable, but emptying into tide waters, navigable in the winter, and flow the lands above during the months of November, December, January, February, March and April; but they shall draw off the water to its natural state by the twentieth day of May in each year; and if any such lands are injured by such flowing, the owners thereof shall have the same remedies in all respects as in case of lands flowed by dams erected and maintained for mill purposes, *provided, however*, that no right shall be granted by this act to flow any mill-dam or any mill privilege, improved or unimproved.

Damages, how recovered.

Proviso.

Approved February 28, 1883.

Chapter 152.

An Act to amend section one hundred and twenty-seven of chapter eighty-two of the Revised Statutes, relating to alias or pluries executions.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 127, ch. 82, R. S., amended.

Section one hundred and twenty-seven of chapter eighty-two of the revised statutes, is hereby amended, by striking out the word "three" in the second line of said section, and inserting the word 'ten,' so that said section, as amended, shall read :

Execution may be renewed within ten years after return day of preceding execution.

'SECT. 127. An alias or pluries execution may be issued within ten years after the day of the return of the preceding execution, and not afterwards.'

Approved February 28, 1883.

Chapter 153.**CHAP. 153**

An Act to establish the salary of the Clerk of the Supreme Judicial Court for Somerset County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That so much of section five of chapter one hundred and fifty of the public laws of eighteen hundred and seventy-nine, as relates to the salary of the clerk of the supreme judicial court for Somerset county, is hereby repealed, and the salary of said clerk is hereby established at and restored to what it was before the passage of said section of said act.

Salary of clerk of courts for Somerset county, restored.

Approved February 28, 1883.

Chapter 154.

An Act to prevent deception in sales of butter and cheese.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Whoever, by himself or his agents, shall sell, expose for sale or have in his possession with intent to sell, any article, substance or compound, made in imitation or semblance of butter, or as a substitute for butter, and not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, shall have the words, adulterated butter, or if such substitute is the compound known as oleomargarine, then the word, oleomargarine, stamped, labeled or marked, in printed letters of plain roman type not less than one inch in length so that said word cannot be easily defaced, upon the top and side of every tub, firkin, box or package containing any of said articles, substance or compound. And in case of retail sales of any of said articles, substance or compound not in the original packages, the seller, by himself or his agents, shall attach to each package so sold at retail, and deliver with said package to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of said package the words, adulterated butter, or the word, oleomargarine, as herein provided, in printed letters of plain roman type not less than one-half inch in length.

Sale of adulterated butter and oleomargarine, regulated.

CHAP. 154

Sale of adulterated cheese, regulated.

SECT. 2. Whoever, by himself or his agents, shall sell, expose for sale or have in his possession with intent to sell, any article, substance or compound, made in imitation or semblance of cheese, or as a substitute for cheese, and not made exclusively and wholly of milk or cream, or containing any fats, oils or grease not produced from milk or cream, shall have the words, imitation cheese, stamped, labeled or marked, in printed letters of plain roman type not less than one inch in length, so that said words cannot be easily defaced, upon the side of every cheese-cloth or band around the same, and upon the top and side of every tub, firkin, box or package containing any of said article, substance or compound. And in case of retail sales of any of said article, substance or compound not in the original packages, the seller, by himself or his agents, shall attach to each package so sold at retail, and deliver with said package to the purchaser, a label or wrapper bearing in a conspicuous place upon the outside of said package the words, imitation cheese, in printed letters of plain roman type not less than one-half inch in length.

Penalty for violation of act.

SECT. 3. Whoever sells, exposes for sale or has in his possession, with intent to sell, any article, substance or compound made in imitation or semblance of butter, or as a substitute for butter, except as provided in section one; whoever sells, exposes for sale, or has in his possession with intent to sell, any article, substance or compound made in imitation or semblance of cheese, or as a substitute for cheese, except as provided in section two; and whoever shall deface, erase, cancel or remove any mark, stamp, brand, label or wrapper provided for by this act, or change the contents of any box, tub, article or package marked, stamped or labeled as aforesaid, with intent to deceive as to the contents of said box, tub, article or package, shall for every such offense, forfeit and pay a fine of one hundred dollars, and for a second and each subsequent offense a fine of two hundred dollars, to be recovered, by indictment, with costs in any court of this state, of competent jurisdiction.

Duty of officers to make complaints.

SECT. 4. It shall be the duty of every inspector of milk, sheriff, deputy sheriff or constable to institute complaint for violating the provisions of this act whenever he has reasonable cause for suspicion, and on the information of any person

who shall lay before him satisfactory evidence on which to sustain the same. It shall be the duty of said inspector or constable to take specimens of suspected butter or cheese and cause the same to be analyzed or otherwise satisfactorily tested. The expense of such analysis or test, not exceeding twenty dollars in any one case, shall be included in the costs of prosecution, and taxed and allowed to the officer paying the same.

CHAP. 155

Suspected articles to be analyzed.

—costs, how taxed.

SECT. 5. For the purposes of this act, the terms butter and cheese shall be understood to mean the products usually known by these names, and which are manufactured exclusively from milk or cream, or both, with salt and rennet, and with or without coloring matter.

Terms butter and cheese, defined.

Approved February 28, 1883.

Chapter 155.

An Act to repeal chapter one hundred and ninety-two of the Public Laws of eighteen hundred and seventy-four and section seventeen of chapter fifty of the Public Laws of eighteen hundred and seventy-eight, relating to taxidermists and all acts authorizing their appointment.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Chapter one hundred and ninety-two of the public laws of eighteen hundred and seventy-four and section seventeen of chapter fifty of the public laws of eighteen hundred and seventy-eight, are hereby repealed.

Ch. 192, public laws 1874, and section 17, ch. 50, public laws 1878, repealed.

SECT. 2. All acts and parts of acts authorizing the appointment of taxidermists, are hereby repealed.

Acts authorizing appointment of taxidermists, repealed.

Approved February 28, 1883.

CHAP. 156**Chapter 156.**

An Act giving further authority to Notaries Public to take acknowledgments and administer oaths.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Additional powers conferred on notaries public.

SECT. 1. Notaries public, in addition to the powers which they now have, may take acknowledgments of deeds and other instruments, and administer oaths in all cases where a justice of the peace can act.

Former acts made valid.

SECT. 2. Any and all such acts hitherto performed by any notary public are hereby made as valid as if the same had been performed by a justice of the peace.

SECT. 3. This act shall take effect when approved.

Approved February 28, 1883.

Chapter 157.

An Act making Sunday a close time for game and birds of all kinds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sunday made a close time for game and birds.

SECT. 1. Sunday is hereby made a close time, on which day it shall not be lawful for any person to hunt, kill or destroy game or birds of any kind, under the penalties imposed for the hunting, killing or destroying the same, during any close time now established by law.

Act not to diminish existing penalties for violation of Sunday laws.

SECT. 2. This act shall not be construed to repeal or diminish the penalties already imposed for any violation of the Sunday laws.

Approved February 28, 1883.

Chapter 158.**CHAP. 158**

An Act relating to seizure of fish and game under the fish and game laws.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Any person whose fish or game has been seized for violation of any fish or game law, shall have such fish or game so seized returned to him on giving to the officer a bond with sufficient sureties, residents of this state, in double the amount of the fine for such violation ; conditioned, that if the final judgment for such alleged violation shall be guilty, he will, within thirty days thereafter pay such fine and costs. If such person neglects or refuses to give such bond and take the fish or game so seized, he shall have no action against the officer for such seizure or loss thereof.

Fish or game seized for violation of law, may be returned to owner, if bond is given.

Condition.

Approved March 2, 1883.

Chapter 159.

An Act establishing the salary of the Judge of Probate for the county of Androscoggin.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The judge of probate for the county of Androscoggin shall receive an annual salary from the treasury of said county of four hundred dollars, payable quarterly, on the first days of January, April, July and October in each year, beginning on the first day of April, eighteen hundred and eighty-three, instead of the salary now provided by law.

Salary of judge of probate for Androscoggin Co. established.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 2, 1883.

CHAP. 160

Chapter 160.

An Act in addition to chapter one hundred and fifty-four of the Public Laws of eighteen hundred and seventy-seven, in relation to corporations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 154,
public laws 1877,
amended.

Chapter one hundred and fifty-four of the public laws of the year eighteen hundred and seventy-seven, is hereby amended by adding to the first section thereof, the following words :

Corporations
may be dissolved
without appoint-
ment of trustees,
if no liabilities
exist.

'Upon proof to said court that there are no existing liabilities against said corporation, and no existing assets of said corporation requiring distribution among the stockholders, said court may dissolve said corporation without the appointment of trustees or receivers.'

Approved March 2, 1883.

Chapter 161.

An Act to repeal so much of sections three and four, chapter one hundred and fifty of the Public Laws of eighteen hundred and seventy-nine, as relates to the salary of the Judge and Register of the Probate Court of the County of Somerset, and to establish the same.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salaries of judge
and register of
probate for Som-
erset county,
established.

So much of sections three and four of the public laws of eighteen hundred and seventy-nine, as relates to the salaries of the judge and register of the probate court of the county of Somerset, is hereby repealed, and the salaries of said judge and register are hereby restored to and established at what they were before the passage of said act.

Approved March 2, 1883.

Chapter 162.

An Act to fix the compensation of certain employees of the Government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Compensation of
night watchmen
at state house,
established.

SECT. 1. The compensation of the night watchmen at the state house, not exceeding two in number, shall be seven hundred and fifty dollars per annum.

SECT. 2. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 163.**CHAP. 163**

An Act in relation to the jurisdiction of the Municipal Court of the city of Portland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section four of chapter two hundred and four of the public laws of eighteen hundred and fifty-six, is hereby amended by striking out the word "twenty" where it occurs in the third line, and the words, "and on conviction, award such sentence as is by law provided for such offenses," and inserting in their stead, the word 'thirty,' and the words 'of the offenses described in section four of chapter one hundred and thirty-two of the revised statutes, when they are not of a high and aggravated nature, and, on conviction, may punish by fine not exceeding twenty dollars, or by imprisonment in the county jail not exceeding six months. And of the offenses described in section four of chapter one hundred and forty-one of the revised statutes, and, on conviction, may punish by imprisonment in the county or city house of correction, not exceeding six months,' so that said section, as amended, shall read as follows :

Sec. 4, ch. 204.
public laws 1856
amended.

'SECT. 4. The said court may take cognizance of simple larcenies, when the property alleged to be stolen shall not exceed in value, thirty dollars; of offenses described in section four of chapter one hundred and thirty-two of the revised statutes, when they are not of a high and aggravated nature, and, on conviction, may punish by fine not exceeding twenty dollars, or by imprisonment in the county jail not exceeding six months. And of offenses described in section four of chapter one hundred and forty-one of the revised statutes, and, on conviction, may punish by imprisonment in the county or city house of correction, not exceeding six months. And have exclusive jurisdiction of all offenses against the by-laws of said city : and in prosecutions on such, by law, they need not be recited in the complaint. nor in allegations therein be more particular than in prosecutions on a public statute.'

Jurisdiction in
cases of larceny,
breaches of peace
vagrabondage and
offenses against
city by-laws.

Approved March 2, 1883.

CHAP. 164

Chapter 164.

An Act to amend section seventeen of chapter fifty-eight of the Revised Statutes, relating to the appointment of constables at meetings of county and local agricultural societies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 17, ch. 58,
R. S., amended.

Section seventeen of chapter fifty-eight of the revised statutes is hereby amended by striking out the words "inhabitants of the county," so that the section, as amended, shall read as follows :

Persons may be
appointed to keep
order, with pow-
ers of constables.

'SECT. 17. The officers of any such society may appoint a sufficient number of suitable persons to act as constables at cattle shows and exhibitions; and they shall have and exercise all the powers of constables in relation to the preservation of the public peace, and enforcing the rules and regulations of said society, within the towns where such shows and exhibitions are held from twelve o'clock at noon of the day preceding the commencement of such shows and exhibitions, and until twelve o'clock at noon of the day succeeding the termination thereof and no longer.'

Approved March 6, 1883.

Chapter 165.

An Act to authorize county commissioners to cause repairs upon county roads and bridges, in unincorporated townships and tracts of land, in cases of sudden injury.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

County commis-
sioners may
cause repair of
county roads in
unincorporated
places, in case of
sudden injury.

Agent shall give
bond.

Assessment for
repairs, how
made.

SECT. 1. County commissioners, in cases of sudden injury to county roads and bridges in the unincorporated townships and tracts of land in their counties, may cause them to be repaired forthwith, or as soon as they may deem necessary, and may appoint an agent or agents, not members of their own board, to superintend the expenditure for such repairs, who shall give bond as required in section fifty-one of chapter six of the revised statutes, if the county commissioners require it, the whole expense whereof shall be added to their next assessment on said lands for repairs, authorized by section fifty-three of said chapter six, of the revised statutes, and acts additional thereto and amendatory thereof, which

said assessments shall create a lien upon said lands for the whole amount thereof, as effectually as is now provided in relation to repairs on such county roads.

SECT. 2. That portion of said assessment which is for repairs of sudden injuries, as herein provided, shall be set down, in the assessment, in distinct items, in a separate column or columns, and shall not be discharged, under the provisions of section fifty-four of chapter six of the revised statutes, but shall be enforced, as is provided in relation to such assessments for repairs, when owners fail to make repairs.

Assessments to be itemised.

—enforcement of.

SECT. 3. This act shall take effect when approved.

Approved March 6, 1883.

Chapter 166.

An Act amendatory of and additional to chapter fifty-one of the Revised Statutes, in relation to railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section sixty-seven of chapter fifty-one of the revised statutes, is hereby amended by inserting after the word "road," in the first line thereof, the words, 'or right of redeeming the franchise of a railroad, and its road from a mortgage thereof,' so that the first clause of said section shall read as follows :

Sec. 67, ch. 51, R. S., as amended.

'SECT. 67. When the franchise of a railroad and its road, or the right of redeeming the franchise of a railroad and its road from a mortgage thereof, wholly or partly constructed, are sold by a decree of court, by a power of sale in a mortgage thereof, or on execution, the purchasers have all the rights, powers and obligations of the corporation, under its charter, and may form a new corporation in the manner hereinbefore provided.'

When railroad and franchise or right of redeeming, are sold, purchaser to have rights of original corporation.

SECT. 2. Any corporation, formed under the provisions of chapter fifty-one of the revised statutes, and acts additional thereto, by the holders of railroad bonds, are empowered to acquire by purchase the right of redemption, under the mortgage securing such bonds.

Corporations formed by holders of railroad bonds, empowered to purchase right of redemption.

CHAP. 167

Provisions of ch. 53, public laws 1878, to apply, where no interest has been paid for more than three years.

Holders of scrip and bonds due and unpaid, may commence suit for foreclosure of mortgage.

SECT. 3. The provisions of chapter fifty-three of the laws of eighteen hundred and seventy-eight, shall apply to cases in which no interest has been paid for more than three years, as well as to cases in which the principal has been overdue for more than three years, as therein provided.

SECT. 4. Whenever the principal of any scrip or bonds issued by a railroad corporation shall have been due and payable more than three years, or no interest has been paid thereon for more than three years, a corporation formed by the holders of such scrip or bonds, or if no such corporation has been formed, the holders of not less than a majority of such scrip or bonds, may commence a suit in equity for the purpose of foreclosing such mortgage; and the court may decree a foreclosure of such mortgage, unless the arrearages are paid within such time as the court may order.

SECT. 5. This act shall take effect when approved.

Approved March 6, 1883.

Chapter 167.

An Act relating to the laying out of ways across railroads.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

R. R. commissioners to determine when ways across lands of railroad companies may be laid out.

SECT. 1. No way shall be laid out through or across any land or right of way of any railroad corporation, used for station purposes, unless after notice and hearing the railroad commissioners adjudge that public convenience and necessity requires it.

Manner and conditions of crossing, how determined.

SECT. 2. When any way is laid out across a railroad, the railroad commissioners, upon application of the parties owning or operating such railroad, shall, upon notice and hearing, determine the manner and conditions of crossing such railroad, subject to the same rights of appeal provided by chapter forty-three of the public laws of eighteen hundred and seventy-eight.

Adjudications of commissioners to be recorded.

SECT. 3. All adjudications of the railroad commissioners relating to ways shall be recorded in the office in which the location of the way is by law to be recorded.

SECT. 4. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 168.**CHAP. 168**

An Act to excuse corporations, which have ceased to transact business, from publishing semi-annual statements and filing annual returns.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The attorney general, upon application by any corporation, and satisfactory proof that such corporation has ceased to transact all business, shall file a certificate of the fact with the secretary of state, and upon being paid reasonable compensation for his services, shall give a duplicate thereof to the corporation; and thereupon such corporation shall be excused from thereafter publishing semi-annual statements, and filing annual returns with the secretary of state, as now required by law, so long as its franchises remain unused.

Corporations which have ceased to do business, to be excused from making annual returns, etc.

Approved March 7, 1883.

Chapter 169.

An Act to amend chapter one hundred and fifty-eight of the Public Laws of eighteen hundred and seventy-seven.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section one, part ten, is hereby amended by striking out of the sixth line the words, "of a debtor or debtors, residing or," and by inserting in the seventh line, after the word "state," the words, 'of a debtor or debtors,' so that the same shall read as follows :

Sec. 1, ch. 158, public laws 1877, amended.

'Tenth. In suits for the re-delivery of goods or chattels, taken and detained from the owner, and secreted or withheld, so that the same cannot be replevied, and in bills in equity, by a creditor or creditors, to reach and apply in payment of a debt, any property, right, title or interest, legal or equitable, found within this state, of a debtor or debtors, which cannot be come at to be attached on a writ or taken on execution in a suit at law, against such debtor or debtors, and which is not exempt by law from such attachment and seizure, and any property or interest conveyed in fraud of creditors.'

Equity powers of S. J. court in certain cases.

—property or interest conveyed in fraud of creditors, added.

SECT. 2. This act shall take effect when approved.

Approved March 7, 1883.

CHAP. 170

Chapter 170.

An Act to amend sections thirty-five and thirty-six of chapter sixty-three of the Revised Statutes, relating to the publication of notices in probate proceedings.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 35, ch. 63, R. S., amended.

SECT. 1. That section thirty-five of chapter sixty-three of the revised statutes be amended by inserting the words 'or published' after the word "printed" in the third line, so that said section, as amended, shall read as follows :

Notice in probate proceedings defined.

'SECT. 35. In all laws relating to probate, courts and proceedings, the words, "public notice," denote notice published three weeks successively in a newspaper printed or published in the county, or, if none, in the state paper; the words, "personal notice," denote service by a copy given in hand or left at the place of last and usual abode, seven days at least before the time of hearing; and the words, "due notice," denote public or personal notice, at the discretion of the judge.'

Sec. 36, amended.

SECT. 2. That section thirty-six of chapter sixty-three of the revised statutes be amended by inserting the words 'or published' after the word "printed" in the second line, so that said section, as amended, shall read as follows :

Parties may select newspaper for notices.

'SECT. 36. Any notice to be published in a newspaper, shall be published in such paper printed or published in the county as the party required to publish it, selects, unless the judge deems such paper unsuitable from want of circulation or other substantial reason.'

SECT. 3. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 171.

An Act relating to Immigration.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Overseers of poor to be designated to take charge of local affairs of immigration.

Whenever the governor of the state shall have knowledge that, under the provisions of an act of congress approved August three, eighteen hundred and eighty-two, officers are necessary in any town or city to take charge of the local affairs of immigration in the ports of this state and to pro-

vide for the support and relief of immigrants who shall fall into distress, he shall designate for such duty the board of overseers of the poor and their successors in such town or city, or any member or members of such board. CHAP. 172

Approved March 7, 1883.

Chapter 172.

An Act to amend section three of chapter twenty-nine of the Revised Statutes of eighteen hundred and seventy-one, relating to bowling alleys and billiard rooms.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section three of chapter twenty-nine of the revised statutes of eighteen hundred and seventy-one, is hereby amended by inserting the words 'pool, bagatelle,' after the word "alley," in the first line of said section, so that said section, as amended, shall read as follows :

Sec. 3, ch. 29, R. S., amended.

'SECT. 3. No person shall keep a bowling alley, pool, bagatelle, or billiard room, without a license, under a penalty of ten dollars for each day such alley or room shall be so kept, to be recovered upon complaint before a judge of a municipal or police court or trial justice, or by indictment, to the use of the person prosecuting.'

Penalty for keeping bowling alley, etc., without license.

Approved March 7, 1883.

Chapter 173.

An Act to amend an act entitled "An Act to amend section fifty-five, chapter forty-nine of the Revised Statutes, relating to foreign insurance companies."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That section fifty-five, chapter forty-nine of the revised statutes, as amended in eighteen hundred and seventy-four, section two hundred and seven, shall be amended by striking out the word "the," in the third line of said section, and inserting the words 'each and every,' so that said section shall, as amended, read as follows :

Sec. 55 ch. 49, R. S., as amended in 1874, further amended.

CHAP. 174

Foreign insurance companies to publish annual statement of condition in every county where they take policies.

Penalty for neglect.

'SECT. 55. Every foreign insurance company doing business in this state, shall annually cause to be published three weeks successively, in some daily or weekly paper printed in each and every county where said company has a duly authorized agent, or takes policies, a condensed statement of its condition conformable to its last annual report to the commissioner; and any such insurance company which shall neglect or refuse to publish such statement, shall forfeit not less than fifty dollars.'

Approved March 7, 1883.

Chapter 174.

An Act to amend the second section of chapter fifty-three of the Public Laws of the year one thousand eight hundred and seventy-eight, relating to corporations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 2, ch. 53, public laws 1878, amended.

SECT. 1. The second section of chapter fifty-three of the public laws of eighteen hundred and seventy-eight, is hereby amended by inserting next before the word "coupons," in the second line of said section, the word 'overdue,' so that said section, as amended, shall read as follows:

Amount of capital stock of new corporations.

—value of shares.

—not liable to further assessment.

'SECT. 2. The capital stock of such new corporation shall be equal to the amount of unpaid bonds and overdue coupons secured by such mortgage, taken at their face at the time of the organization of the new corporation, and the amount required to redeem any prior mortgage, and shall be divided into shares of one hundred dollars each. All stock issued under the provisions of this act shall be taken and considered as paid in full, and shall not be liable to further assessment; and no person taking or holding the same, shall, by reason thereof, be liable for the debts of such corporation.'

SECT. 2. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 175.

CHAP. 175

An Act to amend chapter eighteen of the Revised Statutes relating to the abolishment of sheriffs' juries in road cases.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section five of chapter eighteen of the revised statutes is hereby amended by striking out the words "present their petitions for redress," and insert instead thereof the words 'file their notices of appeal,' and by striking out the word "petition," in the sixth line, and inserting instead thereof the words 'notice of appeal,' so that said section, as amended, shall read as follows :

Sec. 5, ch. 18, R. S., amended.

'SECT. 5. Their return, made at their next regular session after the hearing, is to be placed on file, and to remain in the custody of their clerk for inspection, without record. The case is then to be continued to their next regular term, when, or before then, all persons aggrieved by their estimate of damages, shall file their notices of appeal. If no such notice of appeal is then presented or pending, the proceedings shall be closed, recorded and become effectual; and all claims for damages not allowed by them be forever barred; and all damages awarded under the first seventeen sections shall be paid out of the county treasury.'

Return, when made, disposition of it.

Notices of appeal, when filed.

SECT. 2. The sixth section of said chapter is hereby amended by striking out the word "petition," in the first line, and inserting instead thereof the words 'notice of appeal.'

Sec. 6, amended.

SECT. 3. The eighth, ninth, tenth, eleventh, twelfth and thirteenth sections of said chapter are hereby repealed.

Secs. 8, 9, 10, 11, 12 and 13, repealed.

SECT. 4. Any person aggrieved by the estimate of damages of the county commissioners, by the laying out or discontinuing of a way, may appeal therefrom, at any time before the third day of the regular term next after the term at which the return of the commissioners is made, to the next term of the supreme judicial court, which shall be first holden in the county where the land is situated, more than thirty days from and after the expiration of the time within which such appeal may be taken as above provided, excluding the day of the commencement of the session of said court, which court shall determine the same by a committee of reference if the parties so agree, or by a verdict of its jury, and shall render judgment and issue execution for the damages recovered with costs

Persons aggrieved by estimate of damages may appeal to S. J. court.

Appeal may be determined by committee of reference, if parties so agree.

CHAP. 176

Appellant shall
file notice of
appeal with
county commis-
sioners.

Costs, how taxed
and allowed.

to the party prevailing in the appeal. The appellant shall file notice of his appeal with the county commissioners within the time above limited, and at the first term of the court shall file a complaint setting forth substantially the facts of the case, upon which the case shall be tried as other cases. The clerk shall certify the final judgment of the court to the county commissioners, who shall enter the same of record. The party prevailing shall recover costs to be taxed and allowed by the court, except that the costs shall not be recovered by the party claiming damages, but by the other party, if upon appeal taken as provided in this chapter, by either party, said claimant shall fail to recover and have adjudged to him a greater sum as damages than was allowed to him by the commissioners.

Approved March 7, 1883.

Chapter 176.

An Act in relation to the settlement of persons living in unincorporated places.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Pauper settle-
ment of persons
living in unin-
corporated
places.

Whenever any person, having a pauper settlement in a town, has lived or shall have lived five years in any unincorporated place or places in the state, such person, and those who derive their settlement from him, shall be deemed to have lost their settlement in such town.

Approved March 7, 1883.

Chapter 177.

An Act establishing the salaries of the Judge of Probate and Register of Probate in the county of Piscataquis

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Salary of judge
of probate for
Piscataquis Co.
established.

SECT. 1. From and after the first day of January, in the year one thousand eight hundred and eighty-three, the salary of the judge of probate of the county of Piscataquis shall be

three hundred dollars per annum, instead of the sum now allowed by law. CHAP. 178

SECT. 2. From and after the first day of January, in the year one thousand eight hundred and eighty-three, the salary of the register of probate of the county of Piscataquis shall be three hundred and twenty-five dollars per annum, instead of the sum now allowed by law. Salary of register of probate, established.

SECT. 3. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 178.

An Act to regulate the taking of shell fish or clams.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Any town may, at any town meeting, fix the times in which clams may be taken within the limits of such town and may fix the prices for which the municipal officers shall grant permits therefor; and unless so regulated by vote, residents of the town may take clams without any written permit. But without any such permit, any inhabitant within his own town or transient persons therein may take clams for the consumption of himself or family. This act however shall not apply to hotel keepers taking clams for the use of their hotels, nor shall it interfere with any provision of law relating to the taking of shell fish for bait, by fishermen. Towns may regulate the taking of clams.

SECT. 2. Any person who takes clams in violation of this act, shall be punished for each offense by a fine of not more than ten dollars, or by imprisonment not more than thirty days, or both. Unless regulated, residents may take without permit.

Approved March 9, 1883. Act not to apply to hotel keepers, nor taking of clams for bait.

Penalty for violation of act.

CHAP. 179

Chapter 179.

An Act relative to foreclosure of mortgages.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 3, ch. 90, R. S., amended.

The third specification of section three of chapter ninety of the revised statutes is hereby amended by striking out from the fifth line thereof the words "written consent and certificate," and inserting instead thereof the words 'certificate or consent with the affidavit of the mortgagee, or person claiming under him, to the fact and time of entry indorsed thereon ;' so that the same specification, amended, shall be as follows :

Mode of obtaining possession for foreclosure.

'Third. He may enter peaceably and openly, if not opposed, in the presence of two witnesses, and take possession of the premises ; and a certificate of the fact and time of such entry shall be made, signed and sworn to by such witnesses before a justice of the peace ; and such certificate, or consent with the affidavit of the mortgagee or his assignee to the fact and time of entry indorsed thereon, shall be recorded in each registry of deeds in which the mortgage is or by law ought to be recorded, within thirty days next after the entry is made.'

Approved March 9, 1883.

Chapter 180.

An Act to amend section twenty-nine of chapter seventy-four of the Public Laws of eighteen hundred and seventy-eight, entitled "An Act in relation to the Insolvent Laws of Maine."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 29, ch. 74, public laws 1878, amended.

Section twenty-nine of chapter seventy-four of the public laws of eighteen hundred and seventy-eight are hereby amended by striking out the following words from the first part of said section, viz : "Upon the application, in writing, of one or more creditors, representing one-fourth part of the amount of debts proved," so that said section, as amended, shall read as follows :

Assignee may be required to give bond.

'SECT. 29. The judge shall require the assignee to give a bond for the faithful performance of his duties, in such sum as he shall direct, and with such sureties as he shall approve.'

Approved March 9, 1883.

Chapter 181.**CHAP. 181**

An Act amendatory of chapter seventy-eight of the Revised Statutes, relating to courts and travel of County Commissioners of Cumberland County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section six of chapter seventy-eight of the revised statutes is hereby amended by inserting after the word "Cumberland," in the seventh line, the words 'terms of record,' and by adding after the word "June," in the eighth line, the words 'and regular sessions on the first Tuesday of each month;' so that the seventh and eighth lines of said section six, as amended, shall read as follows :

Sec. 6, ch 78,
R. S., amended.

'In the county of Cumberland, terms of record, on the first Tuesdays of January and June; and regular sessions on the first Tuesday of each month.'

Terms in Cumberland county.

SECT. 2. Section nineteen of chapter seventy-eight aforesaid, is hereby amended by inserting after the word "clerk," in the eighth line, the words 'except in Cumberland county,' so that said section, as amended, shall read as follows :

Sec. 19, amended.

'SECT. 19. Each shall keep an accurate account of his time and travel, specifying the kind of service performed each day or part of a day, and the places from and to which he traveled each day, and he shall not be allowed for services not so specified. His account shall be audited and examined by the county attorney and clerk, to the truth of which he shall be sworn before one of them; and they shall certify the amount allowed, and no further sum shall be paid. The clerk, except in Cumberland county, shall cause a copy of such account to be published in the newspaper printed in the county, if any, and return such printed copy to the secretary of state by the first day of January in each year.'

Accounts of services, how kept and settled.

Copy (except in Cumberland Co) to be published in newspaper and returned to secretary of state.

Approved March 9, 1883.

CHAP. 182

Chapter 182.

An Act to amend section nine of chapter five of the Revised Statutes, relating to lands reserved for public uses.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 9, ch. 5, R.
S., amended.

SECT. 1. That section nine of chapter five of the revised statutes be amended by striking out the words "or organized into plantations," in the sixth line of said section, so that said section shall read as follows :

Reservation of
1,000 acres for
public uses.

SECT. 9. In every township there shall be reserved one thousand acres of land, and at the same rate in all tracts less than a township, for the exclusive benefit of such town or tract as the legislature directs, to average in quality and situation and value as to timber, with the other lands therein. In townships or tracts sold and not incorporated, the lands reserved for public uses may be selected and located by the land agent and the proprietors by a written agreement describing them by metes and bounds, signed by them and recorded in the land office. The plan or outline of the lands so selected shall be entered on the plan of the township or tract in the land office, which shall be a sufficient location thereof.'

—may be located
by agreement.

SECT. 2. This act shall take effect when approved.

Approved March 9, 1883.

Chapter 183.

An Act for the prevention of Cruelty.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Penalty for
cruelty to
animals.

SECT. 1. Every person who cruelly over-drives, over-loads, over-works, torments, tortures, maims, wounds, deprives of necessary sustenance, cruelly beats, mutilates or kills any horse or other animal, or causes or procures the same to be done, or having the charge or custody of any such animal, as owner or otherwise, unnecessarily fails to provide such animal with proper food, drink and shelter, or protection from the weather ; every person, owning or having the charge or custody of any animal, who shall knowingly and wilfully authorize or permit the same to be subjected to or suffer any unnecessary torture or cruelty ; and every owner, driver,

possessor or person having the custody of an old, maimed, disabled or diseased horse or other animal, who cruelly works the same when unfit for labor, or cruelly abandons the same; and every person who shall carry or cause to be carried, in or upon any vehicle or otherwise, any animal in an unnecessarily cruel or inhuman manner, shall, for every such offense, be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding two hundred dollars, or by both such imprisonment and fine.

SECT. 2. Any person who shall keep or use any live pigeon, fowl or other bird for the purpose of a target, or to be shot at either for amusement or as a test of skill in marksmanship, and any person who shall shoot at any bird as aforesaid, or be present as a party, umpire or judge at any such shooting of any pigeon, fowl or bird, and any person who shall rent any building, shed, room, yard, field or premises, or shall knowingly suffer or permit the use of any building, shed, room, yard, field or premises for the purpose of shooting any pigeon, fowl or bird as aforesaid, shall be punished by imprisonment in the county jail not exceeding thirty days, or by fine not exceeding fifty dollars, or by both such imprisonment and fine. Nothing in this act shall be construed as prohibiting the shooting of wild game in its wild state.

Penalty for shooting pigeons and other birds for amusement.

Act not to apply to shooting wild game.

SECT. 3. Any person who shall keep or use, or in any way be connected with, or interested in the management, or shall receive money for the admission of any person to any place kept or used for the purpose of fighting or baiting any dog, cock or other creature, and every person who shall aid or assist therein, or who shall permit or suffer any place to be so kept or used, shall be punished by imprisonment in the county jail not exceeding two months, or by fine not exceeding fifty dollars, or by both such imprisonment and fine.

Penalty for keeping, etc., any place for fighting or baiting dogs or other creatures.

SECT. 4. Whoever owns, possesses, keeps, or trains any bird or animal with the intent that such bird or animal shall be engaged in an exhibition of fighting, shall, upon conviction thereof, be punished by imprisonment in the county jail not exceeding thirty days, or by fine not exceeding fifty dollars, or by both such imprisonment and fine.

Penalty for owning, training, etc. any game bird or animal.

SECT. 5. Any sheriff, deputy sheriff, constable, police officer, officer of any society for the prevention of cruelty to animals, or any other person authorized to make arrests, may

Officers authorized to enter buildings where birds, etc., are kept for training

CHAP. 183

Penalty for resisting officer.

Dwelling-houses not to be entered without a warrant.

Railroad companies shall give cars containing animals, continuous passage and preference to other freight.

Loading of cars regulated.

Animals to be protected against storms and cold weather.

Animals brought into the state, in transit, etc., to be allowed rest, shelter, food and water.

enter any building or enclosure where he has reason to believe that any bird or creature is kept for training to be engaged in fighting; and any person resisting or interfering with such officer shall, upon conviction thereof, be punished by imprisonment in the county jail not exceeding one year, or by fine not exceeding one hundred dollars, or by both such imprisonment and fine. Nothing in this section shall be construed as allowing any officer to enter a dwelling-house without a warrant.

SECT. 6. All railroad companies within the limits of this state shall give all cars containing cattle, sheep, swine or other animals, a continuous passage in preference to any other freight; and all cars, when loaded with cattle, sheep, swine or other animals, at any station, shall have precedence over any other freight. A greater number of animals shall not be loaded into any car than can stand comfortably therein. Animals of one kind only shall be loaded in the same apartment. Young animals shall not be loaded in the same apartment with older and larger animals, except in case of animals with their own sucklings, which shall, in all cases be transported in the same apartment and separate from other animals. Calves shall have free access to their dams, and shall not be muzzled. During the months of December, January, February and March, cars used for the transportation of animals shall be sufficiently boarded up on the sides and ends as to afford proper protection to such animals in case of storms or severe cold weather.

SECT. 7. Animals coming into the state on the same or connecting roads or other transportation lines, which have been loaded ten hours or more, shall be unloaded, comfortably yarded, and in cold, inclement weather, comfortably sheltered, and shall be furnished with a sufficient quantity of proper food and good water within ten hours thereafter, provided, they shall so long remain in the state, and shall remain so yarded or sheltered, fed and watered a reasonable time. And all animals in transit within this state shall be so unloaded, yarded, or sheltered, fed and watered every twenty hours, unless delayed by accident or other unavoidable circumstances. Animals arriving at their destination within the limits of this state, or for embarkation on steamers between the hours of three o'clock in the forenoon and six o'clock in the afternoon, shall be so unloaded, yarded or sheltered, fed and watered

within six hours thereafter and before embarkation. And animals arriving between the hours of six o'clock in the afternoon and three o'clock in the forenoon, shall be so unloaded, yarded or sheltered, fed and watered before nine o'clock in the forenoon following, and before embarkation, if remaining in the state. The railroad company or transportation line having animals in charge within this state at the expiration of the limit of time specified in this act for unloading, feeding and watering, shall be liable for the penalties herein specified for such neglect.

Liability for neglect.

SECT. 8. Any railroad company or other transportation line violating any of the provisions of sections six and seven of this act shall, upon conviction thereof, forfeit and pay a penalty of not less than fifty nor more than five hundred dollars for each and every such offense. The provisions of sections six and seven of this act do not apply to animals being transported in cars or other conveyances where they can and do have proper food, water, space and opportunity to rest.

Penalty for violation of sections 6 and 7.

Exceptions to provisions of sections 6 and 7.

SECT. 9. Any railroad company or other transportation line may hold a lien on all animals in transit for payment of all penalties paid in consequence of the direction or orders of the owner or other person having such animals in charge, and for all extra expenses or damages incurred in the care and protection of animals according to the provisions of this act, and shall not be liable for any detention of such animals for the purposes herein named.

Railroad companies to have a lien on animals for care and protection.

SECT. 10. Any sheriff, deputy sheriff, police officer, constable, officer of any society for the prevention of cruelty to animals, or any person authorized to make arrests, may take possession of any animals detained in violation of the provisions of this act, and may unload the same, comfortably yard or shelter, feed, water and care for them, and may hold a lien on said animals for a reasonable sum for such care, and shall not be liable for any damages or detention of such animals.

Sheriffs or other officers may enforce provisions for care of animals.

May have lien for such care.

SECT. 11. In all cases where a lien is given under the provisions of this act, the persons or corporations having such lien, may sell such animal or animals at public auction, in the town or city where such animal, or animals, was found or is detained, after giving the party claiming or owning the same

Lien, how enforced.

CHAP. 183 three days' notice in writing; or in case such party cannot be found, then by publishing notice of the time and place of sale three successive days in any daily, or once in any weekly newspaper printed in the county where such animal, or animals, was found or detained, and from the proceeds of such sale, may deduct all costs, charges and expenses, and a reasonable compensation for trouble in the matter, and hold the balance, if any, for and pay over the same, on demand, to the party or parties owning the said animal, or animals, or to the legal representatives of said party or parties.

Abandoned animals may be destroyed.

SECT. 12. Any officer or agent of any society for the prevention of cruelty to animals may lawfully destroy or cause to be destroyed forthwith, any animal found abandoned and not properly cared for, appearing in the judgment of two reputable persons called by him to view the same in his presence to be diseased or injured past recovery for any useful purpose.

Any old horse or other animal, not cared for, may be destroyed.

Value, how fixed.

SECT. 13. Any officer or agent of any society for the prevention of cruelty to animals may take possession of any old, maimed, disabled, diseased or injured horse or other animal not properly cared for, and may have the same valued by two reputable persons called by him to view such horse or animal, whereupon he may destroy or cause to be destroyed such horse or animal; and the price so fixed upon shall be the measure of the value of such animal. If any horse or other animal is attached to any vehicle or other property when taken possession of as provided in this act, such vehicle or property shall be properly stored and cared for at the expense of the owner. If the owner of such horse or animal does not appear within twenty-four hours after verbal or written notice is given to him to claim and properly care for the same, and pay all reasonable charges, such horse or animal shall be considered as abandoned.

Animal to be considered abandoned, if owner does not claim it after due notice.

Officers may interfere to prevent cruelty.

SECT. 14. Any officer or agent of any society for the prevention of cruelty to animals may lawfully interfere to prevent the perpetration of any act of cruelty upon any animal in his presence, and any person who shall interfere with or obstruct any such officer or agent in the discharge of his duty shall be guilty of a misdemeanor.

Abandoned animals may be provided for at owner's expense.

SECT. 15. Any person may take charge of any animal whose owner has cruelly abandoned it, or is cruelly failing to properly take care and provide for it, and may furnish the

same with proper shelter, nourishment and care at the owner's expense, and shall have a lien on such animal for the same.

SECT. 16. It shall be the duty of all sheriffs, deputy sheriffs, police officers and constables to prosecute all violations of the provisions of this act which shall come to their notice or knowledge, and all fines collected for such violation shall be paid over to the treasurer of the city or town where the offense for which the fine is imposed was committed, and in case a society for the prevention of cruelty to animals should be formed in such city or town, then such fines shall inure and be paid over to such society in aid of the benevolent objects for which it shall have been formed; otherwise to any such society in the county, if any, where such offense was committed.

Duty of officers to prosecute for violations.

Fines, how disposed of.

SECT. 17. Upon application from the mayor and aldermen of any city, the selectmen of any town, or the president and three directors of any society for the prevention of cruelty to animals, the governor and council shall issue a badge and commission to any officer or agent of any society for the prevention of cruelty to animals in this state to arrest any person charged with violating any of the provisions of this act, same as any sheriff, deputy sheriff or constable can now do.

Governor and council may appoint officers to enforce this act.

SECT. 18. The municipal and police courts and trial justices in this state shall have concurrent jurisdiction of all offenses described in this act.

Jurisdiction of police courts and trial justices.

SECT. 19. In this act, and in every law of this state passed relating to or affecting animals, the masculine shall include the feminine, the singular shall include the plural, the word animal shall be held to include every living creature, the words torment, torture or cruelty shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted, and the words owner or person shall be held to include corporations as well as individuals.

Rules of construction.

SECT. 20. Sections twenty-eight to thirty-five inclusive of chapter one hundred and twenty-four of the public laws of eighteen hundred and seventy-one, chapter thirty-six of the public laws of eighteen hundred and seventy-five amendatory thereto, and all laws or parts of laws inconsistent with this act are hereby repealed.

Certain acts and all inconsistent acts, repealed.

CHAP. 184

Chapter 184.

An Act to amend chapter one hundred and twenty of the Public Laws of eighteen hundred and seventy-six, relating to the formation of railroad corporations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Any narrow gauge railroad may change to standard gauge.

Any railroad corporation which has been or may hereafter be formed and organized under the provisions of chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six, with a narrow gauge, may change its gauge to the standard gauge of four feet eight and one-half inches, subject to the approval of the railroad commissioners.

Approved March 10, 1883.

Chapter 185.

An Act for the protection of Moose, Caribou and Deer.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Killing, etc., of more than a certain number of moose, caribou and deer, between Oct. and Jan., each year, prohibited.
Penalty.

SECT. 1. No person shall kill, destroy or have in possession from the first day of October to the first day of January, in each year, more than one moose, two caribou, or three deer, under a penalty of one hundred dollars for every moose, and forty dollars for every caribou or deer killed, destroyed, or in possession, in excess of the said number ; and, in case of conviction, all such moose, caribou or deer, or the carcasses or parts thereof, shall be decreed by the court forfeited to the use of the party prosecuting. Any person having in possession more than the aforesaid number of moose, caribou, or deer, or the carcasses or parts thereof, shall be deemed to have killed or destroyed them in violation of this act.

Possession deemed evidence of violation.

Penalty for keeping dogs for purpose of hunting moose, etc.

SECT. 2. Any person owning or having in possession dogs, for the purpose of hunting moose, caribou, or deer, or that are used for such hunting, shall be liable to a penalty of not less than twenty, nor more than one hundred dollars.

Penalties, how recovered.

SECT. 3. The penalties prescribed in this act may be recovered in the manner provided by section twenty-five of chapter fifty, of the public laws of eighteen hundred and seventy-eight.

Approved March 10, 1883.

Chapter 186.**CHAP. 186**

An Act relating to Meridian Lines.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twelve of chapter forty-three of the revised statutes of eighteen hundred and seventy-one, as amended by chapter twenty-five of the public laws of the year eighteen hundred and eighty-one, is hereby further amended by striking out the word "shall" before the word "erect" in the second line of section twelve, in said chapter twenty-five, of the year eighteen hundred and eighty-one, and inserting instead thereof, the words, 'may, if they see fit;' so that said section, as amended, shall read as follows :

Sec. 12, ch. 43, R. S., as amended by ch. 25, public laws 1881, further amended.

'SECT. 12. The county commissioners, at the expense of their county, may, if they see fit, erect and forever maintain, in their several counties, at such place or places as the public convenience requires, a true meridian line, to be perpetuated by stone pillars, with brass or copper points firmly fixed on the tops thereof, indicating the true range of such meridian, and shall protect the same and provide a book of records to be kept by the clerk of the courts, or by a person appointed by them nearer to such structure, and accessible to all persons wishing to refer thereto.'

County commissioners to erect and maintain meridian line.

—record to be kept by clerk of courts.

Approved March 10, 1883.

Chapter 187.

An Act to amend item fifth of section twenty-four of chapter eleven of the Revised Statutes, relating to the powers and obligations of school districts, as amended by chapter twenty-four of the Public Laws of eighteen hundred and eighty-one.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Item fifth of section twenty-four of chapter eleven of the revised statutes, as amended by chapter twenty-four of the public laws of eighteen hundred and eighty-one, is hereby amended by adding to said item the following words, 'but in towns or cities that have abolished the district system, the school committee or supervisor shall determine the time of the commencement and duration of the schools in said towns or cities,' so that said item, as amended, shall read as follows :

Sec. 24, ch. 11, R. S., as amended by ch. 24, public laws 1881, further amended.

CHAP. 188

School districts to instruct committee or supervisor when schools shall begin, etc.

When school districts have been abolished, supervisor or committee to determine.

'Fifth. To instruct the superintending school committee or supervisor at what time the schools shall commence, and the schools shall commence and continue as voted by the district, unless, in the opinion of the superintending school committee or supervisor, it would be detrimental to the best interests of the district on account of any contagious disease, or other good reason; but in towns or cities that have abolished the district system, the school committee, or supervisor, shall determine the time of the commencement and duration of the schools in said towns or cities.'

Approved March 10, 1883.

Chapter 188.

An Act to amend sections one and three of chapter seven of the Public Laws of eighteen hundred and seventy-five, relating to pauper settlements of inmates of the Soldiers' Home at Togus.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 1, ch. 7, public laws 1875, amended.

SECT. 1. Section one of said chapter is hereby amended so as to read as follows:

Pauper settlement of inmates of national home at Togus, established.

'SECT. 1. All persons who now are or may hereafter become inmates of the National Home for disabled volunteer soldiers, at Togus, in the county of Kennebec, or subject to the rules and regulations thereof, or shall receive rations therefrom, shall have their pauper settlement in the respective towns in which they had a legal settlement when their connection with said National Home commenced, so long as such connection shall continue therewith.'

Sec. 3 amended.

SECT. 2. Section three of said chapter is hereby amended so as to read as follows:

Towns furnishing relief to paupers shall be reimbursed by the state.

'SECT. 3. If any town shall furnish relief to any such person, or his family, who shall become a pauper after his connection with said National Home shall cease, having no legal settlement in this state, the state shall reimburse such town for the relief furnished, to such an amount as the governor and council shall adjudge to have been necessarily expended therefor.'

Approved March 10, 1883.

Chapter 189.

CHAP. 189

An Act to amend chapter eighty-seven of the Revised Statutes, in relation to actions by or against executors and administrators.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Chapter eighty-seven of the revised statutes is hereby amended as follows: By inserting at the end of section eighteen, the following, to wit:

Ch. 87, R. S.,
amended.

'SECT. 19. If the supreme judicial court, upon a bill in equity filed by a creditor whose claim has not been prosecuted within the time limited by the preceding sections, is of opinion that justice and equity require it, and that such creditor is not chargeable with culpable neglect in not prosecuting his claim within the time so limited, it may give him judgment for the amount of his claim against the estate of the deceased person; but such judgment shall not affect any payment or distribution made before the filing of such bill.'

When claim is
not presented
within the time
limited, S. J.
court may give
judgment upon a
bill filed in equity
by creditor.

SECT. 2. By striking out the figures nineteen, twenty, twenty-one and twenty-two, after the word section, and inserting in place thereof the figures twenty, twenty-one, twenty-two and twenty-three.

Approved March 10, 1883.

Chapter 190.

An Act to amend section six of chapter one hundred and thirty-four of the Revised Statutes, relative to the swearing of witnesses.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That section six of chapter one hundred and thirty-four of the revised statutes is hereby amended by inserting in the third line thereof, between the words "thereof" and "shall," the following words: 'stating the cases in which they testified,' so that said section, as amended, shall read as follows:

Sec 6, ch. 134,
R. S., amended.

'SECT. 6. The attorney general, county attorney, or foreman of the grand jury shall swear or affirm, in the presence of the jury, all witnesses who are to testify before them, and a list thereof, stating the cases in which they testified, shall be returned into court by the foreman before the jury is discharged, and shall be filed and entered on record by the clerk.'

Oath of witnesses
before the grand
jury.

Approved March 10, 1883.

Chapter 191.

An Act to amend section seven of chapter one hundred and twenty of the Revised Statutes, relating to larceny and receiving stolen goods.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 7, ch. 120,
R. S., amended.

Section seven of chapter one hundred and twenty of the revised statutes, is hereby amended so that said section, as amended, shall read as follows :

Larceny by
embezzlement
or fraudulent
conversion of
property.

'SECT. 7. If an officer, agent, clerk or servant of a person, copartnership, or corporation, not an apprentice, nor less than sixteen years of age, embezzles, or fraudulently converts to his own use, or takes and secretes, with intent to do so, without the consent of his employer or master, any property of another in his possession, or under his care, by virtue of his employment, or if a public officer, collector of taxes, or an agent, clerk or servant of a public officer or tax collector, embezzles or fraudulently converts to his own use, or loans, or permits any person to have or use for his own benefit, without the authority of law, any money in his possession, or under his control, by virtue of his office or employment by such officers, he shall be deemed guilty of larceny and be punished accordingly, and whoever, knowingly receives from a public officer, collector of taxes, or his clerk, servant or agent, with intent to convert the same to his own use, without authority of law, any money in the possession or under the control of such officer, by virtue of his office, shall be guilty of larceny and punished accordingly. But the foregoing provisions in relation to public officers, collector of taxes, their clerks, servants or agents, shall not apply to deposits by such officer in any bank, nor to any advances made towards the salary of such officer, nor to any person in the employ of the state, or to whom the state is indebted, if the sums advanced do not exceed the sum due him.'

The receiver
liable.

Approved March 10, 1883.

Chapter 192.

CHAP. 192

An Act to repeal chapter one hundred and ninety of the Public Laws of eighteen hundred and seventy-seven, entitled "An Act to amend section six of chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter one hundred and ninety of the public laws of eighteen hundred and seventy-seven, entitled "An Act to amend section six of chapter one hundred and twenty of the public laws of eighteen hundred and seventy-six," to authorize the formation of railroad corporations, is hereby repealed.

Ch. 190,
public laws 1877,
repealed.

Approved March 10, 1883.

Chapter 193.

An Act to provide for the granting of Conditional Pardons.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In any case in which the governor is authorized by the constitution to grant a pardon, he may, by and with the advice of the council, and upon the petition of the person convicted, grant it upon such conditions, with such restrictions and under such limitations as he deems proper, and he may issue his warrant to all proper officers to carry such pardon into effect ; which warrant shall be obeyed and executed instead of the sentence originally awarded.

Governor may
grant pardons on
such conditions
as he may deem
proper.

SECT. 2. When a convict is pardoned on conditions to be observed and performed by him, and such conditions are violated by him, the warden of the state prison, or keeper of the jail, where the convict was confined, shall forthwith cause him to be arrested and detained until the case can be examined by the governor and council ; and the officer making the arrest shall forthwith give notice thereof, in writing, to the governor and council.

When conditions
are violated, con-
vict to be arrested
and case exam-
ined.

SECT. 3. The governor and council shall, upon receiving such notice, examine the case of such convict, and if it appears by his own admission, or by evidence, that he has violated the conditions of his pardon, the governor, with the advice of the council, shall order the convict to be remanded and confined for the unexpired term of the sentence. In

Officer making
arrest, to notify
governor and
council.

If conditions are
violated, convict
to be remanded
to prison.

CHAP. 194

Officer to whom
warrant granting
pardon is issued,
to make return of
doings.

computing the period of his confinement, the time between the conditional pardon and the subsequent arrest shall not be taken to be part of the term of his sentence. If it appears to the governor and council that he has not broken the conditions of his conditional pardon, he shall be discharged.

SECT. 4. When a convict is pardoned, or his punishment is commuted, the officer to whom the warrant for that purpose is issued shall, as soon as may be after executing the same, make return thereof, under his hand, with his doings thereon, to the office of the secretary of state; and he shall also file in the clerk's office of the court in which the offender was convicted, an attested copy of the warrant and return, a brief abstract whereof, the clerk shall subjoin to the record of the conviction and sentence.

Approved March 10, 1883.

Chapter 194.

An Act relating to support of persons having no pauper settlement in the state, and removing from unincorporated places into towns.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Persons having
no pauper settle-
ment, removing
from an unincor-
porated place to
any town, and
needing relief,
shall be support-
ed by state.

SECT. 1. When persons residing in any unincorporated place in the state, and having no pauper settlement in the state, remove from such unincorporated place to any town in which such persons have never resided before such removal, and there need relief, and the same is furnished to them by such town, the state shall reimburse the town for such relief so furnished, in the same manner and under the same restrictions as provided in section twenty-two of chapter twenty-four of the revised statutes, and acts amendatory of and additional to said section, in relation to supplies furnished to persons having no settlement in the state, found in places not incorporated.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 195.**CHAP. 195**

An Act to repeal section eight of chapter forty-eight of the Revised Statutes, relating to manufacturing, mining and quarrying corporations.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section eight of chapter forty-eight of the revised statutes, relating to manufacturing, mining and quarrying corporations, is hereby repealed.

Sec. 8, ch. 48, R. S., repealed.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 196.

An Act to provide for the addition of one member to the Board of Trustees of the State College of Agriculture and the Mechanic Arts, and to make such member from the graduates of said college.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. That one additional member shall be added to the present board of trustees of the State College of Agriculture and the Mechanic Arts, who shall be a graduate of said college, and not less than twenty-five years of age, and a resident of this state, and shall hold his office for a term of three years, so that said board of trustees shall hereafter consist of nine members, including the secretary of the Maine board of agriculture.

Additional trustee of state college, etc., to be appointed.
—qualifications.

—tenure.

SECT. 2. That the governor, with the advice and consent of the council, shall appoint such member of said board of trustees to fill such vacancy upon nomination of the alumni association of said college, made at any regular meeting of said association, held for that purpose, and made known to the governor and council by the secretary of said association, under seal.

Governor to appoint on nomination of alumni of college.

SECT. 3. Said alumni association shall make such appointment, and the secretary shall make the appointment known to the governor and council within six months after any vacancy may occur in such position, or after the approval of this bill by the governor, and in case such appointment shall not be made by said association within said six months, or said

Appointment to be made within six months after vacancy occurs.

CHAP. 197 appointment shall not be made known to the governor and council within said six months, as hereinbefore provided, then the governor and council shall appoint some person who is a graduate of said college, subject to the provisions of section one, to fill said vacancy.

Approved March 10, 1883.

Chapter 197.

An Act in addition to chapter fourteen, Revised Statutes, relating to contagious diseases in cattle.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Compensation of
commissioners.

SECT. 1. The commissioners shall receive reasonable compensation for services rendered in the discharge of their duties to be audited and allowed by the governor and council.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 198.

An Act to authorize a lien on preserved corn or other grain or fruit.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Persons furnish-
ing corn, etc.,
for canning, to
have lien on
preserved article.

SECT. 1. Whoever furnishes corn or other grain or fruit, for canning or preservation otherwise, shall have a lien on such preserved article, and all with which it may have been mingled, for its value, when delivered, including the cans and other vessels containing the same, and the cases, for thirty days after the same has been delivered, and until it has been shipped on board a vessel or car, and may be enforced by attachment within that time.

—enforcement of
lien.

Certain provi-
sions to apply to
this act.

SECT. 2. The provisions of section thirty-six of chapter ninety-one of the revised statutes, shall apply to this act.

Approved March 10, 1883.

Chapter 199.**CHAP. 199**

An Act to amend section one of chapter one hundred and fourteen of the Revised Statutes, relating to duties payable by public officers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section one of chapter one hundred and fourteen of the revised statutes is amended by striking out the word "or" between the words "justice and notary," and inserting the words 'coroner or inspector of fish' between the words "public" and "shall," so that the said section, as amended, shall read as follows :

Sec. 1, ch. 114,
R. S., amended.

'SECT. 1. . No person appointed to the office of justice of the peace, justice of the peace and quorum, trial justice, notary public, coroner, or inspector of fish, shall enter upon the discharge of his official duties until he has paid five dollars to the treasurer of state, or of the county for which he is appointed.'

Duties payable by
public officers.

SECT. 2. Section three of chapter one hundred and fourteen of the revised statutes is hereby repealed.

Sec. 3, repealed.

Approved March 10, 1883.

Chapter 200.

An Act to amend section fifty-three of chapter six of the Revised Statutes relating to taxes on lands in places not incorporated.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

'The roads which county commissioners are to inspect, and for the repair of which they are to make estimates and assessments, as provided in section fifty-three of chapter six of the revised statutes, and all acts additional to said section fifty-three and amendatory thereof shall embrace, in addition to county roads, such other roads in the unincorporated townships and tracts of land therein named, as were originally located as town roads.'

County commis-
sioners are to
inspect all roads
in unincorporated
places, originally
located as town
roads.

Approved March 10, 1883.

CHAP. 201**Chapter 201.**

An Act requiring County Commissioners to make and complete ledger indexes in the several registries of deeds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

County commis-
sioners required
to make ledger
indexes in all
registries of
deeds.

SECT. 1. The county commissioners in the several counties are hereby directed to make all new and additional volumes of index hereafter necessary in the registries of deeds, after the form known as ledger index, so that the same surnames shall be recorded together in each volume of index, and they are hereby directed to change all volumes of index not already so changed now in the several registries of deeds, to said form, within one year after the approval of this act; *provided, however*, that the county commissioners of the county of Lincoln shall not be obliged to change such indexes for any volumes of records completed before the first day of January, in the year one thousand eight hundred and sixty.

Provido.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 202.

An Act to amend chapter two hundred and eighteen of the Public Laws of eighteen hundred and seventy-seven, relating to Savings banks.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 2, ch. 218,
public laws 1877,
amended.

SECT. 1. Section two of chapter two hundred and eighteen of the public laws of eighteen hundred and seventy-seven is hereby amended by inserting after the word "necessary," in the third line, the words 'a vice president and,' and by striking out the word "and," in the third line, and inserting the word 'also,' so that said section, when amended, shall read as follows :

Officers.

'SECT. 2. The officers of every such corporation shall consist of a president, treasurer, and when in the opinion of the trustees necessary, a vice president and an assistant treasurer; also not less than five trustees, not more than three of whom shall be directors in any national bank, nor more than two of whom shall be directors in the same national

—trustees, num-
ber and restric-
tions.

bank, who shall elect from their number, or otherwise, such other officers as they may see fit.' CHAP. 202

SECT. 2. Section five of said chapter is hereby amended by inserting after the word "necessary," in the fourth line, the words 'a vice president and,' so that said section, when amended, shall read as follows :

'SECT. 5. The trustees, immediately after their election and qualification, shall elect one of their number for president who shall also be president of the corporation. They shall also elect a treasurer, and when deemed necessary, a vice president and an assistant treasurer, to hold their offices during the pleasure of the trustees. The treasurer, and in his absence the assistant treasurer, if there is one, shall be ex-officio clerk of the corporation and of the trustees. The treasurer and assistant treasurer shall give bonds to the corporation for the faithful discharge of the duties of their offices, in such sums as the trustees may decide to be necessary for the safety of the funds, and such bonds hereafter given shall continue and be valid from year to year, so long as they may be elected and hold said offices, subject to renewal whenever ordered by the trustees or bank examiner. Said bonds shall be recorded upon the books of the institutions, and the bank examiner shall, annually, examine the same and inquire into and certify to the sufficiency thereof, and when he shall deem any such bond insufficient, he shall order a new bond to be given within a time by him specified. They shall receive a compensation to be fixed by the trustees. The trustees may receive such compensation for their services in making examinations and returns required by their by-laws and the laws of the state, as may be fixed by the corporation at any legal meeting thereof.'

SECT. 3. Said chapter is hereby amended by striking out the whole of section ten and inserting the following, so that, when amended, said section shall read as follows :

'SECT. 10. Savings banks and institutions for savings are restricted to and hereafter may invest their deposits in the public funds of any of the New England states, including the bonds of the counties, cities and towns of the same; in the public funds of the United States and District of Columbia; in the stock of any bank or banking association incorporated under authority of this state, or of the United States; in the

Sec. 5 amended.

Officers, election of.

—term.

Treasurer, ex officio, clerk.

Bonds of treasurer and assistant treasurer.

Shall be examined annually by bank examiner.

Compensation fixed by trustees.

Compensation of trustees fixed by corporation.

Sec. 10 stricken out.

Investments of deposits.

CHAP. 202 municipal bonds of cities of ten thousand inhabitants, or more, of the states of New York, Pennsylvania, Maryland, Ohio, Indiana, Kentucky, Michigan, Wisconsin, Minnesota, Iowa, Illinois and Missouri, and in the public funds of each of the above named states, and in the bonds of counties in the same states, having twenty thousand population, when not issued in aid of railroads; *provided*, that no investment shall be made in the bonds of the several cities and counties of the states above named, with the exception of the city of St. Louis, in the state of Missouri, where the municipal indebtedness of such city or county exceeds five per cent of its valuation; in the first mortgage bonds of any completed railroads of the states above named, including New Jersey, Kansas and Nebraska, and in the first mortgage bonds of the Central Pacific, Union Pacific and Northern Pacific, and in the railroad bonds of this state; in the stock of any dividend paying railroad in New England; in the stocks of any railroad company in this state which is unincumbered by mortgage; in the stock and bonds of any other corporations incorporated under the authority of this state which earn and are paying regular dividends of not less than five per cent per annum; and may invest by loan on first mortgages of real estate situated in this state and state of New Hampshire not exceeding sixty per cent of its value; and may loan to any county, city or town thereof; and on notes with a pledge as collateral of any of the aforesaid securities, including savings bank deposit books of any savings bank in the state, and the stock of any of said railroad companies, not over seventy-five per cent of the market value of such stock; and may loan to corporations, having real estate and doing business in this state; and may also loan on a pledge or mortgage of such other personal property as, in the judgment of the trustees, it will be safe and for the interest of the bank to accept. Savings bank may also be allowed to invest in the car trust securities issued by any railroad which is not in default on the interest on its first mortgage bonds, and any car trust securities guaranteed by a car trust or railroad equipment company; *provided*, that the car trust company or equipment company has paid two dividends on its capital stock. All investments shall be charged and entered on the books of the bank at their cost to the bank, or at par when a premium is paid.'

SECT. 4. Section twelve of said chapter is hereby amended **CHAP. 202**
by striking out the words "seventy-five per cent," in the sixth **Sec. 12 amended**
line, and inserting 'fifty per cent,' so that, when amended,
said section shall read as follows :

'**SECT. 12.** No savings bank or institution for savings **Investments in capital stock of corporations.**
shall hold, by way of investment, or as security for loans, or
both, more than one-fifth of the capital stock of any corpora-
tion, nor invest more than ten per cent of its deposits, and
not to exceed sixty thousand dollars, in the capital stock of
any corporation, nor have more than fifty per cent of its
deposits in mortgages of real estate. The provisions of
sections ten, eleven and twelve, shall not apply to real estate
or other assets acquired by the foreclosure of a mortgage
thereon, or upon judgment for debts, or in settlements to
secure debts.'

SECT. 5. Section fifteen of said chapter is hereby amended **Sec. 15, amended.**
by striking out the words "one per cent," in the fourteenth
line, and inserting 'three-fourths of one per cent,' so that said
section, when amended, shall read as follows :

'**SECT. 15.** Every savings bank and institution for sav- **Savings banks to make semi-annual return to treasurer of state.**
ings, incorporated under the laws of this state, shall, semi-
annually, on the last Saturday of April and October in each
year, make a return, signed and sworn to by its treasurer, of
the average amount of its deposits for the six months next
preceding each of said days, deducting an amount equal to
the amount of United States bonds, and the value of real
estate owned by said bank or institution. Said return shall
be made to the treasurer of the state on or before the sec-
ond Monday of May and November of each year, and for
wilfully making a false return, he shall be liable to pay a fine **Penalty for making false return.**
of not less than five hundred nor more than five thousand
dollars. The treasurer shall pay to the treasurer of the state
a tax on account of its deposits of three-fourths of one per **Tax payable to treasurer of state.**
cent per annum on the amount of its deposits as in said
returns. One-half of said tax to be assessed on the average **—how assessed.**
amount on deposit for the six months ending and including
the last Saturday in April, and the other half on the average
on deposit for the six months ending and including the last
Saturday in October. One-half of the sum so paid to be
appropriated for the use of schools, as provided in chapter
eleven, section ninety-one of the revised statutes, and one- **—how appropriated.**

CHAP. 202

When payable.

half to the use of the state. The taxes imposed by this section shall be paid, semi-annually, within ten days after the first Monday in June and December.'

Sec. 19, amended.

SECT. 6. Section nineteen of said chapter is hereby amended by striking out the word "assets" in the twelfth and fourteenth lines and inserting the word 'deposits,' and by inserting after the word "profits" in the fourteenth line, the words 'not otherwise divided,' so that said section when amended shall read as follows :

Dividends not to exceed two and one-half per cent semi annually.

'SECT. 19. The trustees shall, after passing to the reserve fund one-fourth of one per cent of the average amount of deposits for the six months previous to declaring a dividend, not subject to be divided, declare dividends, not to exceed two and one-half per cent, semi-annually, except as herein-after provided, at such times as may be required by their by-laws, among depositors of three months standing at least, before dividend day. The corporation may by its by-laws include deposits of less standing. The reserve fund shall be kept constantly on hand to secure against losses and contingencies, until the said reserved fund amounts to five per cent of its deposits. All losses shall be passed to the debit of said account. And when said reserved fund amounts to five per cent of the average amount of deposits for the six months previous to declaring a dividend of any bank, all net profits not otherwise divided, thereafter made by said banks, shall be divided every three years ratably among the depositors of one, two and three full years' standing, as extra dividends. No dividends or interest shall be declared, credited or paid, except by the authority of a vote of the board of trustees, duly entered upon their records, whereon shall be recorded the yeas and nays upon such vote.

—exceptions.

Reserved fund shall be kept until it amounts to five per cent.

—excess to be divided.

Dividends declared, credited and paid by vote of trustees.

—not to exceed earnings of bank.

Trustees of savings banks and savings institutions are prohibited from making any semi-annual dividend of a rate per cent which will make the aggregate amount of said dividend greater than the actual earnings of the bank or institution on hand.

Sec. 24, amended.

SECT. 7. Section twenty-four of said chapter is hereby amended by inserting after the word "purpose," in the fourth line, the following words : 'and shall also, at least once in each year, cause to be entered on a book for the purpose, the net sum of each individual deposit at a fixed date, and ascer-

tain the aggregate of all such deposits, and whether it agrees with the other books of said bank,' so that, when amended, said section shall read as follows :

'SECT. 24. The treasurer of every savings bank shall, on Saturday of each and every week, make and declare a trial balance, which shall be recorded in a book kept for that purpose; and shall also, at least once in each year, cause to be entered on a book for the purpose, the net sum of each individual deposit at a fixed date, and ascertain the aggregate of all such deposits, and whether it agrees with the other books of said bank; and said books shall be open at all times for the inspection of the trustees, corporators and examiner of banks.'

Treasurer shall make trial balances weekly.

—annually record net sum of each individual deposit.

SECT. 8. Section thirty-three of said chapter is hereby amended by striking out the word "once," in the fifth line, and inserting the word 'twice,' so that said section, when amended, shall read as follows :

Sec. 33, amended

'SECT. 33. Savings institutions and trust and loan associations shall be under the charge of the bank examiner for the purposes of examination. He shall visit every savings bank, institution for savings, and trust and loan association, incorporated by authority of this state, twice in every year, and as much oftener as he may deem expedient. At such visits he shall have free access to the vaults, books and papers, and shall thoroughly inspect and examine all the affairs of each of said corporations, and make such inquiries as may be necessary to ascertain its condition, ability to fulfill all its engagements, and whether it has complied with the provisions of law. He shall preserve in a permanent form, a full record of his proceedings, including a statement of the condition of each of said corporations, a copy of which statement shall be published by such corporation immediately after the examination of the same, in a newspaper in the place where such corporation is established, or if there be no newspaper in such place, then in a newspaper published at the nearest place thereto.'

Examiner shall have charge of institutions for examination.

—shall visit every institution semi-annually.

—shall make thorough examination.

Proceedings and statement of condition of corporations to be published.

SECT. 9. Section thirty-six of said chapter, as amended by chapter one hundred and ninety, laws of eighteen hundred and eighty, is hereby amended so that said section, when amended, shall read as follows :

Sec. 36, amend

CHAP. 202

S. J. court or justice thereof, may, on petition and examination, reduce deposit account of each depositor.

SECT. 36. Whenever any savings bank, institution for savings, or trust and loan association, shall be insolvent by reason of loss on, or by depreciation in the value of, any of its assets, without the fault of the trustees thereof, the supreme judicial court, in term time, or any justice thereof, in vacation, shall, on petition, in writing, of a majority of the trustees, and the bank examiner, setting forth such facts, appoint a time for the examination of the affairs of such corporation, and cause notice thereof to be given to all parties interested, in such manner as may be prescribed; and, if upon an examination of its assets and liabilities, and from other evidence he shall be satisfied of the facts set forth in said petition, and that the corporation has not exceeded its powers, nor failed to comply with any of the rules, restrictions and conditions provided by law, he may, if he shall deem it for the interest of the depositors and the public, by proper decree, reduce the deposit account of each depositor, so as to divide such loss pro rata among the depositors, thereby rendering the corporation solvent, so that its further proceedings would not be hazardous to the public, or those having or placing funds in its custody, and the depositors shall not be authorized to draw from such corporation, a larger sum than thus fixed by the court, except as hereinafter provided; *provided, however*, that it shall be the duty of the treasurer of such corporation, to keep an accurate account of all sums received for such assets of the corporation held by it at the time of filing such petition; and if a larger sum shall be realized therefrom than the value estimated as aforesaid by the court, he shall, at such time or times as the court may prescribe, render to the court a true account thereof, and thereupon the court, after due notice thereof to all parties interested, shall declare a pro rata dividend of such excess among the depositors at the time of filing the petition. Such pro rata dividend may be declared by the court, whenever the court shall deem it for the interest of the depositors and the public, whether all, or only a portion, of such assets has been reduced to money; and any such dividend may at any time, in the discretion of the court, be declared to be a final one. No deposit shall be paid or received by such corporation after the filing of the petition till the decree of the court reducing the deposits as herein provided. If the petition is

Proviso.

Deposit not to be paid or received after filing petition, until decree of court.

denied, it shall be the duty of the bank examiner to proceed **CHAP. 203**
for the winding up of the affairs of the corporation as provided in section one hundred and twenty-one.' Proceedings in case of denial of petition.

SECT. 10. All acts and parts of acts inconsistent herewith Inconsistent acts repealed.
are hereby repealed.

SECT. 11. This act shall take effect when approved.

Approved March 12, 1883.

Chapter 203.

An Act to amend section two of chapter fifty-nine of the Revised Statutes, relating to the intermarriage of white persons with Negroes, Mulattoes and Indians.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section two of chapter fifty-nine of the revised statutes, is hereby amended by striking out in the first and second lines the words following: "No white person shall intermarry with a negro, indian or mulatto, and," so that said section, as amended, shall read: 'No insane person or idiot shall be capable of contracting marriage.'

Sec. 2, ch. 59, R. S., amended.

Restrictions removed.

Certain marriages void.

Approved March 12, 1883.

Chapter 204.

An Act concerning offenses against the public health.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Section one, chapter one hundred and twenty-eight of the revised statutes, is hereby amended by striking out all after the word "dollars" in the seventh line, and adding the following: 'And whoever kills, or causes to be killed, for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in possession with intent to sell for food, the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of

Sec. 1, ch. 128, R. S., amended.

CHAP. 204

correction not exceeding thirty days, or by a fine not exceeding fifty dollars, or by both such imprisonment and fine, and all such meat exposed for sale, or kept with intent to make sale thereof, may be seized and destroyed by any board of health, or health officer, or by any sheriff, or deputy sheriff, constable or police officer,' so that said section will read as follows :

Penalty for selling unwholesome provisions and drinks.

'SECT. 1. Whoever sells any diseased, corrupted or unwholesome provision, for food or drink, knowing it to be such, without informing the buyer, or fraudulently adulterates for the purpose of sale, any substance intended for food, or any wine, spirits or other liquors intended for drink, so as to render them injurious to health, shall be punished by imprisonment not more than five years, or by fine not exceeding one thousand dollars; and whoever kills, or causes to be killed, for the purpose of sale, any calf less than four weeks old, or knowingly sells, or has in possession, with intent to sell for food, the meat of any calf killed when less than four weeks old, shall be punished by imprisonment in the jail or house of correction, not exceeding thirty days, or by a fine not exceeding fifty dollars, or by both such imprisonment and fine, and all such meat exposed for sale, or kept with intent to make sale thereof, may be seized and destroyed by any board of health, or health officer, or any sheriff, or deputy sheriff, constable or police officer.'

Penalty for selling, etc., meat of calves killed when less than four weeks old.

Search warrants may be issued to search for such meat.

SECT. 2. When complaint is made on oath to any court or justice, authorized to issue warrants in criminal cases, such court or justice, when satisfied that there is reasonable cause for such belief, may issue a search warrant to search for the meat of calves killed when less than four weeks old, such meat being kept or concealed with intent to sell or offer the same for sale for purposes of food.

Approved March 12, 1883.

Chapter 205.

CHAP. 205

An Act to restore the death penalty for murder in the first degree.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. When murder is committed with express malice aforethought, or in perpetrating or attempting to perpetrate a crime punishable by death, imprisonment for life, or for an unlimited term of years, it shall be deemed murder of the first degree, and punished with death.

Murder in the first degree, defined.

SECT. 2. When any person is convicted of a crime punishable with death and sentenced therefor, the time for the execution of such sentence shall be fixed by the court, which time shall be not less than twelve months nor more than fifteen months from the day on which such sentence is passed, and the convict shall, at the same time be sentenced to confinement in the state prison until such punishment is inflicted.

Time for execution in capital cases to be fixed by the court.

SECT. 3. The governor shall seasonably issue his warrant under the great seal of the state, directed to the sheriff of the county wherein the state prison is situated, or one of his deputies, commanding him to carry such sentence into execution at the time fixed by the court, unless the governor, with advice of council, shall pardon or relieve the convict, or commute his sentence.

Warrant for execution, when and to whom issued.

SECT. 4. Chapter one hundred and fourteen of the public acts of eighteen hundred and seventy-six, sections eight and nine of chapter one hundred and thirty-five of the revised statutes, chapter ninety of the public laws of eighteen hundred and seventy-nine, as amended by chapter one hundred and seventy-eight of the public laws of eighteen hundred and eighty, and chapter two hundred and seven of the public laws of eighteen hundred and eighty, and all other acts and parts of acts, inconsistent with this act, are repealed.

Inconsistent acts repealed.

SECT. 5. Sections seven, ten and eleven of chapter one hundred and thirty-five of the revised statutes are revived.

Certain sections of ch. 135, revived.

SECT. 6. Section twelve of chapter one hundred and thirty-four of the revised statutes is amended by inserting after the word "ten," in line eleven, the words 'nor the state more than five;' also by substituting for the word "he," in line twelve, the words 'such person,' so that said section, as amended, shall read as follows :

Sec. 12, ch. 135, R. S., amended.

CHAP. 205

Jury for trial,
how impaneled.

Challenges.

Rules by the S.
J. court.

Ch. 237, public
laws 1874,
amended.

Persons indicted
for crime punish-
able by imprison-
ment, to be
furnished copy of
indictment.

Counsel to be
assigned in
capital cases.

—compensation.

When motion for
new trial is de-
nied by justice
hearing same,
respondent may
appeal to next
law term.

'SECT. 12. When a person indicted for an offense punishable with death is put upon his trial, the clerk, under the direction of the court, shall place the names of all the traverse jurors summoned and in attendance, in a box, upon separate tickets, and the names, after being mixed, shall be drawn from the box by the clerk, one at a time, for the purpose of constituting a jury of trial. All peremptory challenges, except as herein provided, and all other challenges and objections to the juror drawn, shall be made and determined and the juror sworn or set aside before another name is drawn, and so on until the panel is completed. The person indicted shall not challenge, peremptorily, more than twenty, nor the state more than five of the jurors while the panel is being formed; but such person may, before the trial commences, challenge, peremptorily, two of the jurors from the panel. The supreme judicial court may, by general rules, prescribe the mode of exercising the latter right of challenge, and said section, as amended, is revived.'

SECT. 7. Chapter two hundred and thirty-seven of the public laws of eighteen hundred and seventy-four is amended by substituting the word 'county' for "state," in line eleven, so that said section, as amended, shall read as follows: 'The clerk shall, without charge, furnish to any person indicted for a crime punishable by imprisonment in the state prison, a copy of the indictment. If he is indicted for a crime punishable by death or imprisonment in the state prison for life, he shall furnish a copy of the indictment, a list of the jurors returned, and process to obtain witnesses, to be summoned and paid at the expense of the state; but in all cases where the punishment of the crime charged in the indictment may be simply for a term of years, witnesses shall be summoned and paid at the expense of the state only at the discretion of the court. Competent counsel shall be assigned by the court in capital cases, when it appears that the accused has not sufficient means to employ counsel; and reasonable compensation, not exceeding one hundred and fifty dollars in all at any one trial, shall be allowed by the court, to be paid out of the county treasury.'

SECT. 8. If a motion for new trial in a capital case is denied by the justice before whom the same is heard, the respondent may appeal from said decision to the next law

term for such district; and the concurrence of but three justices shall be necessary to grant such motion. CHAP. 206

SECT. 9. If a person convicted under section one is, at the time when motion for sentence is made, found, to the satisfaction of the court, to be insane, the court may cause such person to be removed to the insane hospital for such a term and under such limitations as it may direct.

Court may order removal of persons convicted of murder, to insane hospital, if found insane when motion is made for sentence.

SECT. 10. If it appears to the satisfaction of the governor and council that a convict under sentence of death has become insane, the execution of said sentence may be respited by the governor, with the advice of council, from time to time for stated periods, until they are satisfied that the convict is no longer insane.

Person under sentence, becoming insane, may be respited.

SECT. 11. The governor, with the advice of council, may respite, from time to time, the execution of a sentence of death, for stated periods, so long as he may deem it necessary to afford him an opportunity of exercising his right of pardon and of investigating and considering the facts of the case for that purpose.

Governor may respite with view of exercising the pardoning power.

Approved March 13, 1883.

Chapter 206.

An Act to fix the salary of the County Attorney for Knox County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. From and after the first day of January, in the year of our Lord one thousand eight hundred and eighty-three, the salary of the county attorney for the county of Knox, shall be five hundred dollars a year.

Salary of county attorney, Knox county, established.

SECT. 2. This act shall take effect when approved.

Approved March 13, 1883.

Chapter 207.

An Act to amend section four of chapter sixty-one of the Revised Statutes, relating to the liabilities of married women.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 4, ch. 61, R.
S., amended.

Section four of chapter sixty-one of the revised statutes is hereby amended by inserting after the word "purpose," in the fourth line thereof, the words 'neither is he liable for her torts committed after April twenty-six, eighteen hundred and eighty-three, in which he takes no part;' also by striking out the word "both," in the same line, and inserting instead thereof the words 'all such;' also by inserting after the word "debts," in the seventh line thereof, the words 'and for damages for such torts,' so that the same section, amended, shall be as follows :

Husband not liable for wife's debts contracted before or after marriage, or torts committed, but she and her property, but not her body, liable as if sole.

'SECT. 4. A husband married since April twenty-six, eighteen hundred and fifty-two, is not liable for the debts of his wife contracted before marriage, nor for those contracted afterward in her own name, for any lawful purpose; neither is he liable for her torts committed after April twenty-six, eighteen hundred and eighty-three, in which he takes no part; but she is liable in all such cases; a suit may be maintained against her, or against her and her husband therefor; and her property may be attached and taken on execution for such debts and for damages for such torts, as if she were sole; but she cannot be arrested.'

Approved March 13, 1883.

Chapter 208.

An Act to amend section fourteen of chapter sixty-five of the Revised Statutes, relating to distribution of estates.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 14, ch. 65, R.
S., amended.

Section fourteen of chapter sixty-five of the revised statutes, is amended by adding after the word "devisee," in the first line, the words, 'or any one claiming under such heir or devisee,' so that said section, as amended, shall read as follows :

'SECT. 14. If the share of any such heir or devisee, or any one claiming under such heir or devisee, is under attachment, the judge, on like application from the plaintiff in the suit, or the attaching officer, shall require the money, not exceeding the amount of the attachment, to be paid to the officer, who shall be answerable therefor in his official capacity, subject to the rights of the parties, as if originally attached.'

Approved March 13, 1883.

CHAP. 209

Proceedings when interest of heir or devisee is under attachment.

Chapter 209.

An Act to amend chapter ninety-two of the public laws of eighteen hundred and eighty-one, relating to fees of inspectors of lime and lime casks, and their deputies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Chapter ninety-two of the public laws of eighteen hundred and eighty-one, is amended by striking out the words "one-eighth" where it appears in said act, and inserting the words 'one-half,' in lieu thereof, so that said chapter, as amended, will read as follows :

Ch 92, public laws 1881, amended.

'SECT. 1. The fees of inspectors of lime and lime casks, and their deputies, shall be one-half of one mill for each cask inspected and branded, and each inspector shall receive from his deputy the one-half of one mill for each cask inspected and branded by the deputy.'

Fees of inspectors of lime and lime casks.

SECT. 2. This act shall take effect when approved.

Approved March 13, 1883.

Chapter 210.

An Act to establish the line between the counties of Somerset and Piscataquis.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The division line between the counties of Somerset and Piscataquis, is hereby established as follows :—beginning at the southwest corner of the town of Wellington, thence

Line between the counties of Somerset and Piscataquis, established.

CHAP. 211 running northerly, following the west lines of the towns of Wellington, Kingsbury, Blanchard and Shirley, and townships number three in the fifth range, and number two in the sixth range, to the Kennebec river; thence up and by the southerly bank of said river to Moosehead lake; thence northerly by the westerly margin of said lake to the easterly line of township W; thence northerly along the easterly line of township W and Seboomook township, to the northeast corner of said Seboomook township; thence westerly along its northerly line till it strikes the division line between the fifteenth and sixteenth ranges of townships west from the east line of the state; thence north on the division line between said fifteenth and sixteenth ranges to the southerly line of the county of Aroostook.

Approved March 13, 1883.

Chapter 211.

An Act to amend section one of chapter sixty-four of the public laws of eighteen hundred and eighty-one, relating to the compensation of jailers for board of prisoners.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 1, ch. 64,
public laws 1881
amended.

Fees of jailers
for support of
prisoners.

Section one of chapter sixty-four of the public laws of eighteen hundred and eighty-one, is amended by adding the following words to said section: 'And in jails containing workshops, the jailers shall receive for every prisoner laboring in said shops, twenty-five cents per week, in addition to the sum above provided.'

Approved March 13, 1883.

Chapter 212.

CHAP. 212

An Act to amend chapter sixty of the Revised Statutes, relating to Divorce.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter sixty of the revised statutes is hereby amended by striking out the words "when the judge deems it reasonable and proper, conducive to domestic harmony and consistent with the peace and morality of society," and inserting instead thereof the words 'for causes of adultery, impotency, extreme cruelty, utter desertion, continued for three consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication, cruel and abusive treatment, or on the libel of the wife, where the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her.' Said section is further amended by striking out the word "if" in the fifth line and inserting the word 'provided' instead thereof, and by striking out the words "and when such divorce is granted, may marry again," in the last two lines, so that said section, as amended, shall read as follows, viz :

Sec. 2, ch 60,
R. S., amended.

'SECT. 2. A divorce from the bonds of matrimony may be decreed by the supreme judicial court in the county where either party resides at the commencement of proceedings, for causes of adultery, impotency, extreme cruelty, utter desertion, continued for three consecutive years next prior to the filing of the libel, gross and confirmed habits of intoxication, cruel and abusive treatment, or on the libel of the wife, where the husband, being of sufficient ability, grossly or wantonly and cruelly refuses or neglects to provide suitable maintenance for her ; *provided* the parties were married in this state, or cohabited here after marriage ; or, if the libelant resided here, when the cause of divorce accrued or had resided here in good faith one year prior to the commencement of proceedings. Either party may be a witness.'

In what cases
divorces may be
granted.

Provide.

Either party may
be a witness.

SECT. 2. Sections three, twelve and thirteen of said chapter are hereby repealed.

Secs. 3, 12 and
13, repealed.

SECT. 3. All decrees of divorce shall, in the first instance, be decrees nisi, to become absolute after the expiration of six months from the entry thereof, on the application of either

Decrees to be nisi
at first and absolute
after six
months.

CHAP. 213

party to the clerk of the court; and on such application, the clerk shall enter a final decree, unless the court has for sufficient cause, on application of any party interested, otherwise ordered.

Party granted divorce, shall not marry within two years, except by permission of court.

Libelee shall not marry again within two years, nor after, except by permission of court.

Clerks of court to make return to secretary of state, all applications and decrees.

Act not to apply to any libel now pending.

SECT. 4. After a divorce from the bonds of matrimony, the party on whose petition the divorce was granted, shall not marry again within two years after the entry of the final decree, except on permission granted by the court. The party against whom the divorce was granted, shall not marry again within two years from the entry of said decree, and not afterwards except on permission granted by the court.

SECT. 5. Within thirty days after the adjournment of any court having jurisdiction of divorce, the clerk thereof shall make return to the secretary of state of the applications and decrees nisi for the term, in cases of divorce, with the names of the parties and the causes for which the divorces were granted. And the secretary of state shall record the same in a book kept for that purpose.

SECT. 6. The provisions of this bill shall not apply to any libel now pending.

Approved March 13, 1883.

Chapter 213.

An Act providing for the taxation of Telephone Companies.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Telephone companies to pay annual tax.

SECT. 1. Every telephone corporation, company or person doing business within the limits of this state, shall annually pay into the state treasury, a tax of two and one-half per cent on the value of any telephone line owned by said corporation, company or person, within the limits of this state, including all poles, wires, insulators, transmitters, telephones, batteries, instruments, telephonic apparatus, office furniture, and any circumstances or conditions which affect the value of the property.

Returns to be made to secretary of state.

SECT. 2. Every such corporation, company or person shall annually, on or before the fifteenth day of April, return to the secretary of state, under the oath of its superintendent,

the amount and value of all the property enumerated in section one, owned by it within the limits aforesaid, on the first day of April annually, and the governor and council shall determine said values and assess said tax thereon on or before the first day of May annually. The secretary of state shall thereupon certify said assessment to the state treasurer, who shall forthwith notify the several parties assessed thereof. Said tax shall be paid into the treasury on or before the first day of September annually, and shall be in lieu of all state or municipal taxation on any property or shares of said corporations, companies or person.

Governor and council to assess tax.

Secretary of state to certify tax to treasurer of state.

—when to be paid.

SECT. 3. Any corporation, company or person, neglecting to make the returns required by this act, shall forfeit twenty-five dollars per day for every days' neglect so to do, to be recovered by an action of debt in the name of the state; and the governor and council shall proceed to make said assessment on such valuation as they think just with such evidence as they may be able to obtain, and such assessment shall be final. And if any corporation, company or person fails to pay the tax required by this act, the state treasurer may forthwith commence an action of debt, in the name of the state, for the recovery of the same with interest.

Proceedings in case of failure to make return and pay tax.

SECT. 4. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 214.

An Act amendatory of and in addition to chapter seventy-four of the public laws of eighteen hundred and seventy-eight, entitled, "An Act in relation to the insolvent laws of Maine," and acts additional thereto and amendatory thereof.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In all cases of proceedings for composition, where a debt arises on a bill of exchange or promissory note, if the debtor shall be ignorant of the holder of any such bill of exchange or promissory note, he shall be required to state the amount of such bill or note, the date on which it falls due, the name of the acceptor, and of the person to whom it is payable, and any other particulars within his knowledge

In proceedings for composition when debtor is ignorant of the holder of note, etc., he shall give full description of the debt.

CHAP. 214

If creditor cannot be found or refuses to accept percentage, amount may be deposited in court.

If claim is not proved and percentage accepted within six months, amount to be repaid to insolvent.

No discharge shall be granted unless percentage is paid or secured.

Dividends shall not be paid without approval of court.

Register to give notice of dividends declared.

When debtor withholds property, judge may enforce delivery.

Claimant to property sold and in dispute, must bring suit to recover value thereof, within sixty days after sale is ordered.

Proviso.

respecting the same ; and the insertion of such particulars shall be deemed a sufficient description by the debtor in respect to such debt. If any creditor named in the debtor's schedule of debts cannot be found, or shall refuse to accept the percentage due him under proceedings for composition, it shall be lawful for the debtor to deposit in court the amount of such percentage in money, and such deposit so made shall be taken and deemed to be a security for said debt. If any such creditor, at the expiration of six months after said deposit, fails to prove his claim and accept said percentage, the court may order the same to be repaid to said insolvent, or, after notice to said insolvent, make such distribution of said deposit as justice may require. No discharge shall be granted to a debtor under proceedings for composition, unless the judge is satisfied that the debtor has either paid or secured the percentage, named in his composition agreement, to all the creditors whose names appear in the schedule annexed to his affidavit.

SECT. 2. No dividend shall be paid or declared without the approval of the court to be entered of record. The register shall give notice, of not less than five days, to all creditors named in the schedule of debts, of all dividends declared, and shall receive the same fee as for other notices.

SECT. 3. When it appears to the satisfaction of the judge of any court of insolvency that the debtor has withheld and not delivered to the messenger or assignee any part of his property or estate which is not exempt under the provisions of said act, the judge of said court may, upon application and after hearing, order delivery of such property or estate, and enforce the order or decree as provided in section four of said act.

SECT. 4. The claimant to property sold under the provisions of section thirty-three of said act, shall bring his suit against the assignee, to be served on him within sixty days after the judge orders such sale, to recover compensation for the value of such property, or be precluded thereafter from maintaining any action at law or in equity for the recovery thereof; *provided*, that the further time of six months be allowed to any claimant in proceedings now pending to bring his action as herein provided against the assignee.

SECT. 5. The judges of the courts of insolvency shall prepare and file in the office of the secretary of state annually, on the first Monday of January, a report of all the cases in insolvency within their respective counties, showing the names of the insolvents, the date of the filing of the petition, the date of the discharge, the amount and average rate of dividends declared, inclusive of composition cases, and the amount of fees received or earned by them and the registers of said court.

CHAP. 215

Judges shall report annually to secretary of state, all cases of insolvency, etc.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

SECT. 7. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 215.

An Act concerning trade-marks and their registration.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Any person entitled to the exclusive use of any lawful trade-mark, or who intends to adopt and use any lawful trade-mark, not previously adopted or used by another, may file for record in the office of the secretary of this state, a certificate, setting forth his name, residence and place of business; the class of merchandise and the particular description of goods comprised in such class to which such trade-mark has been, or is to be appropriated; a description of such trade mark, and of the mode in which it is to be applied and used; the date when such trade-mark was first used or adopted; that he has a right to the use of it; and that no other person, firm or corporation has the right to such use, either in the identical form, or having such near resemblance thereto as might be calculated to deceive. A fac-simile of such trade-mark shall be incorporated in or annexed to said certificate, and a duplicate shall be filed therewith, to be pasted or bound into the record book, if practicable. Such certificate shall be signed by the person in whose behalf it is filed, or by his agent, and the person so signing it, shall make

Persons entitled to use trade-mark may file with secretary of state, certificate, description, etc., thereof.

Fac-simile to be annexed to certificate.

Certificate to be sworn to.

CHAP. 215

oath or affirm that all the statements therein contained are true, to the best of his knowledge and belief.

Penalty for swearing falsely.

SECT. 2. Any person who shall wilfully swear or affirm falsely in any such affirmation or affidavit, as to any matter therein required to be set forth, shall be guilty of perjury, and shall pay treble damages to every party injured thereby.

Secretary of state may decline to record certificate if he believes it untrue.

SECT. 3. If the secretary of state has reason to apprehend, on the filing of any such certificate, that the statements therein contained, or any of them, are untrue, he may decline to record the same, unless the party filing it shall obtain a writ of mandamus to compel such recording. Such writ may be granted, but without costs to the secretary, by any proper court, on due proof that all the statements in such certificate be true, but no final hearing on the application therefor, shall be had until such notice thereof as the said court may order, has been advertised in one or more newspapers published in the county where the party filing said certificate resides; and any persons who desire, may appear and intervene as parties defendant, and oppose the granting of such writ, and shall be liable to judgment for any costs occasioned by such intervention.

—may be compelled to, by mandamus.

Proceedings.

Exclusive right to use trade mark, guaranteed.

SECT. 4. Every party having the lawful right to make and file such certificate and affidavit, upon the recording of the same in said office, shall become entitled to the exclusive use of the trade-mark therein described, for so long as he or his assigns shall continue to be engaged in the manufacture or sale of the merchandise or description of goods to which it is appropriated; and such right shall be assignable in writing; but all assignments thereof shall be good only against the assignor and his personal representatives, until lodged for record in said office.

Right assignable.

Certificates and assignments to be recorded by secretary of state.

SECT. 5. The secretary of state shall retain all such certificates on file, and cause the same and all assignments of trade-mark rights to be recorded at length in his office, and shall be entitled to a fee of three dollars for each certificate, and one dollar for each assignment so filed and recorded. Copies of the record of any such certificate, attested by him under the seal of the state, shall be prima facie evidence of the right of the party filing such certificate to the exclusive use of the trade-mark therein described for the periods limited to section four.

—fees.

Copies of record to be evidence of right to use trade-mark.

SECT. 6. Any person who shall reproduce, copy, counterfeit or imitate any such recorded trade-mark, knowing the same to have been recorded, and affix such reproduction, copy, counterfeit or imitation, to goods resembling or designed to resemble those to which trade-mark is so appropriated, shall pay to the owner of such trade-mark, double damages, and also such sum, not exceeding five hundred dollars, as the court before which the action is brought, may order to be added to the damages found by the verdict or judgment.

Penalty for counterfeiting.

SECT. 7. This act shall not abridge any rights to any existing trade-marks, whether the same shall be hereafter recorded or not, nor any remedies or rights of action otherwise or heretofore existing in favor of owners of trade-marks.

Act not to abridge rights to existing trade-marks.

SECT. 8. Every person who fraudulently and with intent to deceive, affixes any trade-mark recorded under this act, or any such imitation thereof as is calculated to deceive, to any goods, receptacle or package similar in descriptive properties to those to which such trade-mark is appropriated; or who, fraudulently and with intent to deceive, places in any receptacle or package to which is lawfully affixed a recorded trade-mark, goods other than those which said trade-mark is designed and appropriated to protect; or who, fraudulently and with intent to deceive, deals in or keeps for sale any goods with a trade-mark fraudulently affixed, as above described in this section; or any goods contained in any package or receptacle having a lawful trade-mark, but not being such goods as said trade-mark was designed and appropriated to protect, shall be fined not more than five hundred dollars, or imprisoned not more than thirty days, or both.

Penalty for fraudulent use of trade-marks.

SECT. 9. The word person in this act includes any person or persons, firm or corporation.

Application of terms.

CHAP. 216

Chapter 216.

An Act to prohibit the sale of toy pistols.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Penalty for selling, etc., toy pistols.

Whoever has in his possession a toy pistol for the explosion of percussion caps or blank cartridges, with intent to sell the same, or sells, or offers to sell or give away the same, shall be fined not less than five, nor more than one hundred dollars ; and such person shall be liable for all damages resulting from such selling or giving away, to be recovered in an action on the case.

Approved March 14, 1883.

Chapter 217.

An Act to complete the records in Cumberland County Registry of Deeds.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Commissioners of Cumberland co. authorised to procure certain copies of deeds from York county registry.

—to be filed in Cumberland registry

—to be indexed.

Expenses, how paid.

Attested copies of copies, to have same force as attested copies of original records.

SECT. 1. The commissioners of Cumberland county may procure copies, duly attested by the register of deeds for York county, of so much of the records in the York county registry of deeds as were made prior to the incorporation of Cumberland county, and file said copies in the Cumberland county registry of deeds, in the same manner and form as the current records thereof, preserving the number and page of the original volume. Said commissioners shall also prepare an index to said copies, in the form known as the ledger index, to be filed therewith.

SECT. 2. All the expenses of making said copies, filing and indexing the same, shall be paid from the treasury of Cumberland county, upon bills audited by said commissioners.

SECT. 3. Copies of the copies made, attested and filed as aforesaid, duly attested by the register of deeds for Cumberland county, shall be of the same force and effect as like copies of the original records, attested by the register of deeds for York county.

Approved March 14, 1883.

Chapter 218.

CHAP. 218

An Act to amend section forty of chapter ninety-one of the Revised Statutes, relative to liens on goods in possession.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section forty of chapter ninety-one of the revised statutes is hereby amended in the second line thereof by inserting after the word "judicial," the words 'or superior' so that said section, as amended, shall read as follows :

Sec. 40, ch. 91,
R. S., amended.

'SECT. 40. The person claiming the lien may file in the supreme judicial or superior court, in the county where he resides, or in the office of the clerk thereof, a petition briefly setting forth the nature and amount of his claim, a description of the article possessed, and the name and residence of its owners, if known to him, and a prayer for process to enforce his lien.'

Petition to be
filed; contents of
it.

Approved March 14, 1883.

Chapter 219.

An Act relating to Registers of Probate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section twenty of chapter sixty-three of the revised statutes is hereby amended by adding after the word "therefrom" in the seventh line, the words, 'and any matter, petition, process or proceeding drawn, commenced or conducted by the register, or his agent or clerk, in the probate court of which he is register, in violation of this act, shall be void, and such register shall be liable in damages to the party injured thereby.'

Sec. 20, ch. 63,
R. S., amended.

Register not to
be counsel in
cases incompati-
ble.

Penalty.

Approved March 14, 1883.

CHAP. 220.**Chapter 220.**

An Act to amend section thirteen of chapter sixty-three of the Revised Statutes, relating to Judge of Probate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 13, ch. 63, R. S., amended.

Judge not to be counsel in cases incompatible.

Penalty.

Section thirteen of chapter sixty-three of the revised statutes is hereby amended by adding after the word "county" in the sixth line, the words, 'and any process or proceeding commenced by him in the probate court for his county, in violation of this act, shall be void, and he shall be liable to the party injured thereby in damages.'

Approved March 14, 1883.

Chapter 221.

An Act to restore the salary of the superintendent of public buildings.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 3, ch. 125, public laws 1879, amended.

Salary of supt. public buildings, restored.

SECT. 1. That portion of section three of chapter one hundred and twenty-five of the public laws of eighteen hundred and seventy-nine, which relates to the salary of the superintendent of public buildings, shall be amended by striking out the words "six hundred," and inserting the words 'one thousand;' so that that portion of the section shall read : 'superintendent of public buildings, one thousand dollars per annum.'

SECT. 2. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 222.

An Act relative to banks.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Cashiers of banks required to make returns to examiner.

When thereto required by the examiner, the cashier of each bank shall make and transmit to him, within the time directed in such requisition, a return of the state of such

bank, stating the several particulars mentioned in the following form, exhibiting in distinct columns the amounts due from the bank, and the resources of the bank, viz :

State of the bank of , on the first Saturday Form.
of , 18 , at two o'clock P. M.

Due from the Bank.		Resources of the Bank.	
Capital stock,	\$	Gold, silver and other	
Bills in circulation,	\$	coined metal in its	
Net profits on hand,	\$	banking house,	\$
Balances due to other		Bills of other banks	
banks,	\$	incorporated in this	
Cash deposited, includ-		state,	\$
ing all sums whatso-		Bills of other banks	
ever due from the		without the state,	\$
bank, not bearing in-		Balances due from oth-	
terest; its bills in		er banks,	\$
circulation, profits		Amount of all debts	
and balances due to		due, including notes,	
other banks excepted,	\$	bills of exchange,	
Cash deposited bearing		and all stocks and	
interest,	\$	funded debts of	
		every description,	
		except balances due	
		from other banks,	\$

Total amount due from		Total amount of the re-	
the bank,	\$	sources of the bank,	\$
Rate of last dividend,			
Amount of last dividend,			\$
When declared,			
Amount of reserved profits at the time of			
declaring the last dividend,			\$
Amount of debts due and not paid and con-			
sidered doubtful,			\$
Bills in circulation under five dollars,			\$

Approved March 14, 1883.

CHAP. 223

Chapter 223.

An Act to amend chapter eighty-eight, Public Laws of eighteen hundred and seventy-nine, relative to referees.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 88, public laws 1879, amended.

Chapter eighty-eight of the public laws of the year eighteen hundred and seventy-nine is hereby amended by adding after the words "supreme judicial," in the second line, the words 'or superior.'

Approved March 14, 1883.

Chapter 224.

An Act amendatory of and additional to chapter eight of the Revised Statutes, relating to the duties of county treasurers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 10, ch. 8, R. S., amended.

SECT. 1. Section ten of chapter eight of the revised statutes is hereby amended by adding thereto the words, 'This section shall not apply to the county of Cumberland,' so that said section, as amended, shall read as follows :

Statement to be published annually.

'SECT. 10. He shall publish, annually, in the month of January, in some newspaper in the county, if any, to be designated by the county commissioners, otherwise in the state paper, a full and fair statement of the financial concerns of his county, with the items of receipts and expenditures. This section shall not apply to the county of Cumberland.'

Treasurer of Cumberland co., excepted.

Ch. 8, further amended.

SECT. 2. Chapter eight of the revised statutes is hereby further amended by adding thereto the following section :

Treasurer of Cumberland co. to annually make statement of financial condition of county.

'SECT. 19. The treasurer of the county of Cumberland shall, at the end of each year, in connection with the commissioners of said county, make out a statement of its financial condition, showing, in detail, all moneys received into and paid out of the treasury of said county, and such other facts and statistics as may be necessary to exhibit the true state of the finances of the county ; and shall publish, in pamphlet form, a reasonable number of copies for distribution among the citizens of the county.'

—publish same for distribution.

Approved March 14, 1883.

Chapter 225.

CHAP. 225

An Act to regulate practice in mandamus.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. A petition for a writ of mandamus may be presented to a justice of the supreme judicial court in any county, in term time or vacation, and such justice may, upon due notice to all parties, hear and determine the same, or may reserve questions of law arising thereon, upon exceptions or otherwise, for the determination of the full court, which may hear and determine the same at any time, in any county, as justice shall seem to it to require. If, on such hearing, it is ordered that the writ issue, it may be issued from the clerk's office in any county, and be made returnable as the court shall direct.

Petition, to whom and when presented.

Proceedings thereon.

Questions of law, reserved for full court.

First writ, whence issued and how returnable.

SECT. 2. When a writ of mandamus issues, the person required to make return thereto shall make his return to the first writ, and the person suing the writ may, by an answer, traverse any material facts contained in such return, or may demur thereto. If the party suing the writ maintains the issue on his part, his damages shall be assessed and a judgment rendered, that he recover the same with costs, and that a peremptory writ of mandamus be granted; otherwise, the party making the return shall recover his costs. No action shall be maintained for a false return to a writ of mandamus.

Return to writ, how answered.

Judgment and peremptory writ.

Costs for prevailing party.
No action for false return.

SECT. 3. The court may make rules, on a petition for the writ, or upon and after the issuing of the first writ, calling upon any person having, or claiming, a right or interest in the subject matter, other than the party to whom the writ is prayed to be, or has been directed, to show cause against the issuing of the writ. If such person appears, he shall be heard in such manner as the court may direct, and, in proper cases, may be allowed to frame and sign the return to the first writ, and to stand as the real party in the proceedings.

Third person cited to show cause.

May be heard and stand as real party.

SECT. 4. If a third person is admitted, as is provided in the preceding section, the proceedings shall not abate or be discontinued by the death, resignation or removal from office by lapse of time or otherwise, of the person to whom the writ was directed, and any peremptory writ shall be directed to his successor.

Proceedings not to abate by death, resignation, etc.

CHAP. 226

Chapter 226.

An Act authorizing the Warden of the State Prison to convey certain real estate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Warden of state prison authorized to convey certain real estate.

The warden of the state prison, under the direction of the governor and council, is hereby authorized to sell and convey any real estate to which he has, or may acquire, title in behalf of the state, in the adjustment of debts due the state prison.

Approved March 14, 1883.

Chapter 227.

An Act to amend section nine of chapter fifty-nine of the Revised Statutes, relating to marriage.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 9, ch. 59, R. S., amended.

Section nine of chapter fifty-nine of the revised statutes is amended by inserting after the word "chapter" in the second line, the words, 'or the provisions of chapter sixty,' so that said section, as amended, shall read as follows :

Marriage in another state in evasion of the first three sections, and ch. 60, void, here.

'SECT. 9. When residents of this state, with intent to evade the provisions of sections one, two and three of this chapter, or the provisions of chapter sixty, and to return and reside here, go into another state or country, and there have their marriage solemnized, and afterwards return and reside here, such marriage shall be void in this state.'

Approved March 14, 1883.

Chapter 228.**CHAP. 228**

An Act to amend section fifty-one of chapter sixty-four of the Revised Statutes, relating to the appointment of special commissioners in disputed claims against estates of deceased persons not insolvent.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section fifty-one of chapter sixty-four of the revised statutes is hereby amended by adding thereto the following words :—'Such claimant shall have the same right to apply to the judge of probate, and the same proceedings shall be had on such application, after notice to the other party, as are provided for the executor or administrator in this section, if the claimant has demanded payment of his claim, and it is not complied with for thirty days, or is refused.'

Sec. 51, ch. 64,
R. S., amended.

Claimant shall
have same right
as executor

Approved March 14, 1883.

Chapter 229.

An Act to amend section ten, chapter one hundred and fifty, of the Public Laws of eighteen hundred and seventy-nine, relative to the salary of State Superintendent of Common Schools.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section ten of chapter one hundred and fifty of the public laws of eighteen hundred and seventy-nine is hereby amended by striking out the words "one thousand" in the second line, and inserting the words 'eleven hundred;' also, by striking out the words "five hundred" in the fourth line, and inserting the words 'seven hundred,' so that said section, as amended, shall read as follows, viz: The annual salary of the state superintendent of the common schools shall be eleven hundred dollars, instead of the sum now fixed by law, together with clerk hire, not to exceed the sum of seven hundred dollars.

Sec. 10, ch. 150,
public laws 1879,
amended.

Salary of supt.
of schools, estab-
lished.

Approved March 14, 1883.

CHAP. 230.**Chapter 230.***An Act relating to corporations.*

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 46, R. S.,
amended.

That chapter forty-six of the revised statutes is hereby amended by adding thereto the following :

Provisions of ch.
46, to apply to all
corporations.

'SECT. 38. The provisions of this chapter shall apply to all corporations organized by special acts of the legislature, or under the laws of this state, except so far as they are inconsistent with the provisions of such special acts, or of the revised statutes concerning particular classes of corporations.'

Approved March 14, 1883.

Chapter 231.

An Act to amend an act, entitled "An Act relating to the support of persons having no pauper settlement in the State, and removing from unincorporated places into towns," approved March ten, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 1, ch. 194,
public laws 1883,
amended.

SECT. 1. Section one of the act approved March ten, in the year of our Lord one thousand eight hundred and eighty-three, entitled "An Act relating to the support of persons having no pauper settlement in the state, and removing from unincorporated places into towns," is hereby amended by inserting the words 'as to the amount reimbursed,' after the word "restrictions," and before the word "as" in the seventh line of said section, so that said section, as amended, shall read as follows :

Towns furnishing
relief to persons
removing from an
unincorporated
place, to be
reimbursed by
state.

'SECT. 1. When persons residing in any unincorporated place in the state, and having no pauper settlement in the state, remove from such unincorporated place to any town in which such persons have never resided before such removal, and there need relief, and the same is furnished to them by such town, the state shall reimburse the town for such relief so furnished, in the same manner and under the same restrictions as to the amount reimbursed, as provided in section twenty-two of chapter twenty-four of the revised statutes,

and acts amendatory of and additional to said section, in relation to supplies furnished to persons having no settlement in the state, found in places not incorporated.' CHAP. 232

SECT. 2. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 232.

An Act to amend section one of chapter sixty-five of the Public Laws of eighteen hundred and seventy-six, relating to Telegraph and Telephone Companies

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section one of chapter sixty-five of the public laws of eighteen hundred and seventy-six is hereby amended by striking out from the second line thereof the words, "within this state."

Sec. 1, ch. 65,
public laws 1876,
amended.

SECT. 2. Section one of chapter sixty-five of the public laws of eighteen hundred and seventy-six is hereby amended by inserting therein, in the seventh line of said section, between the word "telegraph" and the word "companies," the word 'telephone.'

Sec. 1, further
amended.

Approved March 14, 1883.

Chapter 233.

An Act to amend section two of chapter ninety-three of the Revised Statutes, relating to conditional deeds of the public lands.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section two of chapter ninety-three of the revised statutes, is hereby amended by inserting after the word "legislature," in the first line, the words, 'or governor and council,' also by striking out the word "directs," in said first line, and inserting instead thereof the word 'direct,' so that said section, as amended, shall read as follows :

Sec. 2, ch. 93,
R. S., amended.

CHAP. 234

Attorney general
to file informa-
tion.

'SECT. 2. When the legislature, or governor and council direct, the attorney general shall file an information in the supreme judicial court, in the county where the lands lie, stating the grant and conditions, breaches and claims of the state.'

Approved March 15, 1883.

Chapter 234.

An Act to amend section twelve of chapter one hundred and forty of the Revised Statutes, relating to the accounts of the warden of the state prison.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 12, ch. 140,
R. S., amended.

SECT. 1. Section twelve of chapter one hundred and forty of the revised statutes is amended as follows: Strike out the word "annually" after the word "December" in the last sentence of said section, and insert the words 'March, June, September and' before the word "December," wherever it occurs in said section; also annex to said section the sentence. 'Vouchers for all expenditures shall be taken in duplicate, one copy of each to be filed at the prison and the other with the governor and council;' so that said section, as amended, shall read as follows :

Warden shall not
be concerned in
trade.

His duties.

'SECT. 12. The warden shall not carry on or be concerned in the business of trade and commerce during his continuance in office; he shall reside constantly within the precincts of the prison, and shall have the care, custody and charge of the prison, and of the convicts therein, in conformity to their sentences, and of the lands, buildings, machines, tools, stock, provisions, and of every other kind of property belonging to or within the precincts of the same. He shall be the treasurer of the prison, receive, pay out, and be accountable for all moneys granted for maintaining it, or derived from the manufactures or other concerns thereof; make in the books of the prison regular entries of all its pecuniary and other concerns, and on the first day of March, June, September and December of each year, he shall render to the inspectors a fair account of all the expenses and disbursements, receipts and profits of the prison, with sufficient vouchers therefor, and a statement of its general affairs, for the quarter then

past, including the number of convicts received and discharged during the quarter, and the number remaining; and a similar account and statement, examined and approved by the inspectors, he shall also render, under oath, on the first day of March, June, September and December, to the governor and council, and settle all his accounts with them when they require it. Vouchers for all expenditures shall be taken in duplicate, one copy of each to be filed at the prison and the other with the governor and council.'

Vouchers for expenditures to be in duplicate.

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 235.

An Act to amend section seven, chapter one hundred and thirty-six of the Revised Statutes relating to trial justices and judges of municipal and police courts.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section seven, chapter one hundred and thirty-six of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following:

Sec. 7, ch. 136, R. S., amended.

'SECT. 7. Every trial justice or judge of a municipal or police court shall render, under oath, an account of, and pay over all fines and forfeitures by him received, upon convictions and sentences before him, accruing to the county, to the treasurer of the county, and when they accrue to the town, to the treasurer of the town, within six months after he receives the same; and for any neglect he shall forfeit and pay, in each instance, double the amount, to be recovered in an action of debt, in the name of the county treasurer, when they accrue to the state or county, and in the name of the town treasurer when they accrue to the town. Every judge of a municipal or police court in any city, shall, once in each month, make and return under oath to the mayor and aldermen of said city; and every judge of a municipal or police court in any town shall, once in each month, make and return under oath, to the municipal officers of said town, a correct account of all examinations and trials had before him of persons accused of offenses, and of all fines and forfeitures by

Justice to pay over fines to treasurer of county or town, &c.

Judge of police court to report monthly to municipal officers an account of all trials, and fines imposed.

CHAP. 236

Penalty for
neglect.

Duty of recorder
in courts having
such officers, to
make such re-
turns, etc.

him imposed or received, upon conviction or sentence, and of all fees and costs by him received, under a penalty of one hundred dollars for each neglect, to be recovered by indictment. In municipal or police courts having a recorder or clerk, it shall be the duty of such recorder or clerk, instead of the judge, to make the monthly returns and the monthly accounts aforesaid; and said recorder or clerk shall be liable to the penalties hereinbefore provided for judges for neglect of same.'

Approved March 15, 1883.

Chapter 236.

An act to amend section forty-four, chapter forty-nine of the Revised Statutes, relating to insurance.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 44, ch. 49, R. S., as amended by ch. 63, public laws 1881, further amended.

SECT. 1. Section forty-four, chapter forty-nine, of the revised statutes, as amended by chapter sixty-three, acts of eighteen hundred and eighty-one, is hereby amended so as to read as follows:

Insurance commissioner, appointment, term, compensation and duties.

'SECT. 44. An insurance commissioner shall be appointed by the governor and council, who shall hold his office three years, unless sooner removed, but shall not, at the same time, be examiner of banks. His office shall be at the state capitol during the sessions of the legislature. The salary of the insurance commissioner shall be ten hundred dollars per annum, in full for services, payable quarterly by the state treasurer, on the first day of January, April, July and October of each year. The governor and council may allow such reasonable sum for postage and actual expenses incurred in enforcing the laws relating to insurance, as they deem proper. The insurance commissioner may administer oaths in the performance of his official duties, in any part of the state, and at any time. He shall keep a correct account of all his doings, and of all fees and moneys received by him, by virtue of his office, and pay the same over to the state treasurer, quarterly, and at the same time settle his accounts with the governor and council. He shall give bond to the

Shall settle quarterly with governor and council and give bond.

treasurer in the sum of five thousand dollars, for the faithful discharge of his duties.' CHAP. 237

SECT. 2. Chapter sixty-three of the acts of eighteen hundred and eighty-one, is hereby repealed, except for the settlement of matters already affected by it. Ch. 63, laws 1881, repealed.

SECT. 3. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 237.

An Act to amend the second specification of section six of chapter six of the Revised Statutes, relating to taxes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The second specification of section six of chapter six of the revised statutes is hereby amended by adding thereto the following: 'and corporations whose property or funds in excess of their ordinary expenses are held for the relief of the sick, the poor and the distressed, or of widows and orphans, or to bury the dead, are benevolent and charitable corporations within the meaning of this specification, without regard to the sources from which their funds are derived, or to limitations in the classes of persons for whose benefit the funds are applied, except that so much of the real estate of such corporations as is not occupied by them for their own purposes, shall be taxed in the municipality in which it is situated,' so that said specification, as amended, shall read as follows :

Sec. 6, ch. 6, R. S., amended.

'Second. All property, which by the articles of separation is exempted from taxation: the real and personal property of all literary institutions, and the real and personal property of all benevolent, charitable and scientific institutions incorporated by this state; and corporations whose property or funds in excess of their ordinary expenses are held for the relief of the sick, the poor or the distressed, or of widows and orphans, or to bury the dead, are benevolent and charitable corporations within the meaning of this specification, without regard to the sources from which their funds are derived, or to limitations in the classes of persons for

Notates not taxed.

CHAP. 238 whose benefit the funds are applied, except that so much of the real estate of such corporations as is not occupied by them for their own purposes, shall be taxed in the municipality in which it is situated.'

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 238.

An Act to regulate the importation, manufacture and sale of fertilizers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Fertilizers kept for sale, etc., to be labeled to show component parts.

Form of label.

SECT. 1. Every lot or parcel of commercial fertilizer sold, offered or exposed for sale within this state, shall be accompanied by a printed label, which shall state clearly the composition of the same, as follows, to wit: In the case of all fertilizers which are sold at more than twelve dollars per ton, and which contain nitrogen, potash, or phosphoric acid, the said label shall give the percentage of nitrogen, or its equivalent in ammonia, in an available form; of potash soluble in water, and of phosphoric acid in an available form, soluble or reverted, as well as the total phosphoric acid. In the case of those fertilizers which consist of other and cheaper materials, the said label shall give a correct general statement of the composition and ingredients of the fertilizer it accompanies.

Importers required to procure license.

—shall pay fee to state.

—shall file paper with secretary of board of agriculture, giving name of agents, etc.

—may sell only one kind.

—may sell additional kind upon payment of additional fee.

SECT. 2. Every importer of commercial fertilizers, as specified in section one, before offering the same for sale in this state, shall procure a license as an importer of the same, and shall pay into the treasury of this state the sum of fifty dollars, annually, as a license fee; and shall at the same time, file with the secretary of the state board of agriculture, a paper giving the name of his principal agents, and also the name and composition of the fertilizer or fertilizers manufactured or imported by him. Such license shall entitle the person to whom it is issued to sell and offer for sale only one distinct kind of fertilizer; but such person shall be entitled to sell any other kind of fertilizer upon the payment into the treasury of this state an additional license fee of fifteen dollars for each such additional kind.

SECT. 3. Any person selling, offering or exposing for sale any commercial fertilizer, without the statement required by the first section of this act, or with a label stating that said fertilizer contains a larger percentage of any one or more of the constituents mentioned in said section than is contained therein, or respecting the sale of which, all the provisions of section two have not been fully complied with, shall forfeit one hundred dollars for the first offense and two hundred dollars for each subsequent offense. Suits may be brought for the recovery of fines or damages under the provisions of this act, in the county where the fertilizer was offered for sale or where it was manufactured; and all fines so recovered shall be paid into the treasury of state by the court collecting the same. Such suits shall be brought by the secretary of the state board of agriculture in the name of the state of Maine.

Penalty for violation of sections one and two.

Where and by whom suits may be brought, etc.

SECT. 4. The secretary of the state board of agriculture shall be state inspector of fertilizers. It shall be the duty of said inspector or some competent person by him deputed, annually, to analyze one or more specimens of every kind of commercial fertilizers coming within the provisions of this act, which may be offered for sale within this state, and of the existence of which he shall be informed by the secretary of the state board of agriculture; and for this purpose he is authorized and directed to take from any package or packages of said fertilizers which may be in the possession of any dealer a sample not exceeding one pound in weight. He shall report annually to the state board of agriculture the result of his inspection and the analysis made by him, and furnish the secretary of said board such important information in regard to commercial fertilizers as he shall from time to time obtain.

Inspector of fertilizers, duties and powers.

SECT. 5. The fee of the state inspector of fertilizers shall be fifteen dollars for each analysis made by him, or under his direction, and traveling expenses to be paid from the treasury of the state on certificate of the state board of agriculture; *provided*, that no larger sum shall be paid for such services each year than is paid into the treasury of the state for license fees as provided in section two.

Fees of inspector

SECT. 6. It shall be the duty of said inspector, upon ascertaining any violation of this act to forthwith inform the

Duty of inspector in cases of violation.

CHAP. 239

manufacturer and the secretary of the state board of agriculture in writing thereof; and it shall be the duty of said secretary to immediately institute proceedings against all parties violating this act.

Penalty if secretary of board of agriculture or chemist, fail to perform duties, etc.

SECT. 7. If the secretary of the state board of agriculture, or the chemist making the analysis of fertilizers under this act, shall violate, or knowingly fail to perform his duty as prescribed in section four, or shall collude with any manufacturer of, or agent, or dealer in any fertilizer, to evade the provisions of this act, so as to injure any manufacturer of, or agent, or dealer in any fertilizer, such secretary or chemist shall, upon conviction thereof, be sentenced to a fine of five hundred dollars, to be recovered by any court of competent jurisdiction.

License to be issued by secretary of state.

SECT. 8. The license required by section two shall be issued by the secretary of state.

Inconsistent acts repealed.

SECT. 9. Any act or parts of acts inconsistent with this act is hereby repealed.

SECT. 10. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 239.

An Act to amend chapter seventy-eight of the Public Laws of eighteen hundred and seventy-six, relating to fish weirs.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Sec. 1, ch. 78, public laws 1876, amended.

SECT. 1. Section one of chapter seventy-eight of the public laws of eighteen hundred and seventy-six, is hereby amended by striking out after the word "other," in the thirteenth line, the words, "and shall determine to allow the same," so that said section, when amended, shall read as follows:

License to build wharves and fish weirs.

'SECT. 1. Any person intending to build or extend any wharf or fish weir in tide waters within the limits of any town or city, may make application in writing to the municipal officers thereof, stating the location, limits and boundaries, as near as may be, of such intended erection or extension,

CHAP. 240

and asking license for the same. Upon receiving such application, said officers shall give at least three days' public notice thereof, and shall therein designate a day in which they shall meet on or near the premises described and examine the same. If, upon such examination and hearing of all parties interested, said officers shall decide that such erection or extension would not be an obstruction to navigation or an injury to the rights of others, they shall issue a license under their hands to the applicant authorizing him to make said erection or extension, and to maintain the same within the limits mentioned in said license.'

Public notice to be given when application to build, is made.

—when granted.

SECT. 2. In no case shall any fish weirs be erected in tide waters below low water mark in front of the shore or flats of another without the owner's consent, under a penalty of fifty dollars; to be recovered in an action of debt before any court of competent jurisdiction, by the owner of said shore or flats.

Penalty for erecting weir in front of shore of another, without owner's consent.

—how recovered.

SECT. 3. Owners of shores or flats bordering on the sea coast may extend their fish weirs, the materials of which are wholly or partly removed annually, into tide waters below low water mark; *providing*, they do not obstruct navigation nor interfere with the rights of others. The provisions of section thirty-four of chapter forty of the revised statutes, and chapter one hundred and seventy-five of the public laws of eighteen hundred and eighty, shall not apply to fish weirs built on the shore of the sea coast, nor shall this section apply to the shore and tide waters of rivers.

Owners of shores may extend weir below low water mark.

Proviso.

Certain acts not to apply to weirs on sea coast, etc.

Approved March 15, 1883.

Chapter 240.

An Act to fix the length of the school week.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Five days shall constitute a school week; and four weeks shall constitute a school month.

School week and month, length of fixed.

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

CHAP. 241.**Chapter 241.**

An Act to repeal chapter seventy of the Revised Statutes, relating to assignments for the benefit of creditors.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 70, R. S., as amended by chapters 73 & 89, public laws 1876, repealed.

Chapter seventy of the revised statutes, as amended by chapter seventy-three and eighty-nine of the public laws of the year eighteen hundred and seventy-six, is hereby repealed.

Approved March 15, 1883.

Chapter 242.

An Act relating to compensation of County Commissioners for Cumberland and Aroostook Counties.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Compensation of commissioners of Cumberland and Aroostook counties, established.

Each county commissioner for Cumberland and Aroostook counties shall receive two dollars and fifty cents a day while actually employed in the service of the county, including the time spent in traveling, for which he shall have eight cents a mile for the distance actually traveled ; but he shall not have more than one travel in the same hearing or session, nor for more than two adjournments of any regular term, nor for service or travel on more than one petition or case at the same time, nor anything for travel or attendance at the legislature connected with the annual county estimates, nor for any additional trouble or expense of any kind.

Approved March 15, 1883.

Chapter 243.

An Act to amend section twelve of chapter eighty-seven of the Revised Statutes, relating to actions by or against executors or administrators.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 12, ch. 87, R. S., as amended by ch 85, public laws 1872, further amended.

SECT. 1. Section twelve of chapter eighty-seven of the revised statutes, as amended by chapter eighty-five of the public laws of eighteen hundred and seventy-two, is hereby

further amended so that the same section, as amended, shall read as follows : CHAP. 243

'SECT. 12. If an action against an executor or administrator, on a claim against the estate, shall be commenced, except as provided in sections thirteen and fifteen, without such claim being first presented in writing and payment demanded, or the claim being filed in the probate office, supported by the affidavit of the claimant, or of some other person cognizant thereof, as provided in chapter sixty-four, section sixty-two, and such notice given as the court orders thereon, at least thirty days before the action is commenced, and within two years after notice is given by him of his appointment, such action shall be continued at the cost of the plaintiff till the next term of court, and such further time and on such other terms as the court shall order, and a tender of payment or offer thereof filed in the case during the time said action is so continued, shall bar the same, and the defendant shall recover his costs ; and no action shall be maintained on any such claim, unless commenced during said two years, or within six months next following, except as provided in the following sections. Executors or administrators residing out of the state at the time of giving notice of their appointment, shall appoint an agent or attorney in the state, and insert his name and address in such notice. Executors or administrators removing from the state, after giving notice of their appointment, shall appoint an agent or attorney in the state, and give public notice thereof ; demand or service made on any such agent or attorney shall have the same effect in law as if made on such executor or administrator. When an executor or administrator, residing out of the state, has no agent or attorney in the state, demand or service may be made on one of his sureties, and shall have the same legal effect as if made on him.'

Action, commenced against executor or administrator before payment is demanded and notice given, shall be continued till next term.

No action maintained unless commenced during two years after notice of appointment.

Executors and administrators residing out of state, required to appoint an agent or attorney residing in the state, on whom demand or service may be made.

SECT. 2. This act shall not apply to, nor effect any suits now pending.

Act not to apply to pending suits.

CHAP. 244**Chapter 244.**

An Act relating to the jurisdiction of the Superior Court of Kennebec County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Jurisdiction of
superior court,
Kennebec county,
in cases of
divorce, not
restricted.

Nothing contained in an act entitled "An Act to amend chapter sixty of the revised statutes, relating to divorce," approved March thirteen, eighteen hundred and eighty-three, shall be construed to affect the jurisdiction of the superior court of Kennebec county, but said court shall continue to exercise jurisdiction under said act as heretofore.

Approved March 15, 1883.

Chapter 245.

An Act to amend sections seven and twenty-seven of chapter eighteen of the Revised Statutes, and to repeal chapter fifty-three of the public acts of eighteen hundred and eighty-one, relating to damages for locating, altering and discontinuing ways.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 7, ch. 18,
R. S., amended.

SECT. 1. Section seven of chapter eighteen of the revised statutes is amended by substituting for the first sentence of said section all of the first four lines of section thirty-one of said chapter, except the last two words of the fourth line, "but the," after the semi-colon ; also by adding to said section seven the remainder of the first sentence of said last named chapter, so that said section seven of chapter eighteen shall read as follows ;

Damages, how
estimated ; to
whom awarded.

'SECT. 7. If any person's property is damaged by laying out, altering or discontinuing a highway or town way, the commissioners or municipal officers of towns shall estimate the amount, and in their return state the share of each separately ; the damages are to be allowed to the owners of reversions, and remainders, and to tenants for life, and for years, in proportions to their interests in the estate taken ; but the commissioners or officers shall not order such damages to be paid, nor shall any right thereto accrue to the claimant, until the land over which the highway or alteration is located, has been entered upon and possession taken, for the purpose of construction or use.'

SECT. 2. Section twenty-seven of said chapter eighteen **CHAP. 246**
is also amended by adding thereto the following: 'When **Sec. 27, amended.**
town or private ways are finally located by municipal officers,
unless the land is entered upon and possession taken for said
purpose within two years after the laying out or alteration,
the proceedings shall be void,' so that said section shall read
as follows:

'SECT. 27. Where a town, private or highway, is wholly
or partly discontinued by the commissioners, a time is to be
fixed for it. And when laid out by them, the way is to be
regarded as discontinued, if not opened within six years from
the time allowed therefor. When town or private ways are
finally located by municipal officers, unless the land is entered
upon and possession taken for said purpose within two years
after the laying out or alteration, the proceedings shall be
void.' Chapter fifty-three of the public laws of eighteen
hundred and eighty-one, is repealed.

Time to be fixed
for discontinu-
ance by commis-
sioners.

Way not opened
in six years,
discontinued.

Way, located by
municipal offi-
cers, void, if land
is not entered
upon within two
years.

Approved March 15, 1883.

Chapter 246.

An Act relating to attested copies from the published volumes of the early records in
York County Registry of Deeds.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

After the early records in the registry of deeds for York
county shall have been published, and one or more volumes
thereof placed in each registry of deeds in the state, as con-
templated by a resolve of this legislature, a copy of any
portion of either of said volumes, duly attested by the regis-
ter of deeds, having the lawful custody thereof, shall be of
the same force and effect as a like copy of the original record,
attested by the register of deeds for York county.

Attested copies
of records of York
county, from pub-
lished volumes
thereof, to have
same force as
attested copies
from original
records.

Approved March 15, 1883.

An Act supplementary to "An Act to restore the death penalty for murder in the first degree," approved March thirteen, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Arson of a dwelling house.

SECT. 1. Whoever wilfully and maliciously sets fire to the dwelling-house of another, or to any building adjoining thereto, or to any building owned by himself or another, with intent to burn such dwelling-house, and it is thereby burnt, in the night time, shall be punished by imprisonment at hard labor for life. If he proves, and the jury find, that there was no person lawfully in such dwelling-house at the time, or if the offense was committed in the day time, he shall be punished by imprisonment for life, or any term of years.

Penalty for treason.

SECT. 2. The punishment of the crime of treason shall be imprisonment for life.

Jurisdiction of S. J. court.—exceptions.

SECT. 3. One justice of the supreme judicial court may hold a term thereof in any county, except the counties of Cumberland and Kennebec, for the trial of capital cases, and exceptions may be taken, as in other cases, to their rulings and decisions.

SECT. 4. No person shall be a juror in a capital case, who cannot conscientiously find a man guilty of an offense punishable with death.

SECT. 5. Section four of an act entitled "An Act to restore the death penalty for murder in the first degree," approved March thirteen, in the year of our Lord, one thousand eight hundred and eighty-three, is hereby amended by adding thereto the words, 'but they are continued in force for the trial and punishment of all offenses described therein, committed before this act takes effect.'

Approved March 15, 1883.

Chapter 248.**CHAP. 248**

An Act supplementary to "An Act to amend chapter eighty-seven of Revised Statutes, in relation to actions by or against executors and administrators.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The act entitled "An Act to amend chapter eighty-seven of the revised statutes, in relation to actions by or against executors and administrators," passed at the present session, shall not affect any action now pending.

Act to amend ch. 87, R. S., not to affect pending actions.

Approved March 15, 1883.

Chapter 249.

An Act to amend chapter forty-four of the Revised Statutes, relating to hawkers and peddlers.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section one of chapter forty-four of the revised statutes, is amended by striking out the last two words thereof, and inserting in their place, the words, 'the United States.'

Sec. 1, ch. 44, R. S., amended.

Approved March 15, 1883.

Chapter 250.

An Act in amendment of and additional to chapter one hundred and forty-two of the Revised Statutes, relating to the State Reform School.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section eleven of chapter one hundred and forty-two of the revised statutes is hereby amended so as to read as follows :

Sec. 11, ch. 142, R. S., amended.

'SECT. 11. The trustees, under direction of the governor and council, shall establish and maintain a mechanical school, and cause the boys under their charge to be instructed in mechanical trades and in the branches of useful knowledge, adapted to their age and capacity ; in agriculture and horticulture, according to their age, strength, disposition and capacity, and otherwise, as will best secure their reformation, amendment and future benefit. The trustees, in binding out

In what branches to be instructed.

CHAP. 250

the inmates, shall have scrupulous regard to the character of those to whom they are bound, that they may secure the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral and useful citizens to the state.

Trustees to make rules and regulations.

—regulate punishments.

Rules to be approved by governor and council.

The trustees shall establish rules and regulations for the direction of the officers, agents and servants of the school, and for the government, instruction and discipline of the inmates; they shall specify the punishments that may be inflicted upon the boys in the school, and any officer, agent or servant, who inflicts punishment not so authorized, shall be discharged and dismissed. Such rules and regulations shall be submitted to and approved by the governor and council, and shall not be altered without their consent.'

Sec. 12, amended.

Powers and duties of superintendent.

SECT. 2. Section twelve of said chapter is hereby amended by inserting in the seventh line, after the word "employments," the words: 'He, the superintendent, shall see that no punishment is inflicted upon the boys in violation of the rules of the trustees, and shall immediately cause to be entered in a book kept for the purpose, a particular record of all corporal punishments inflicted upon the boys, stating the offense, the punishment, and by whom inflicted; which record shall be open to public inspection, and shall be laid before the trustees at their quarterly meetings at the school, a majority of whom shall then certify upon said book whether or not such punishments are approved by them.

Further amended.

SECT. 3. Said chapter is hereby further amended by adding thereto the two following sections:

Inmates to be classed.

'SECT. 16. The inmates of the school shall be separated into classes, regard being had to their age, their character and conduct, and the offense for which they have been committed. The boys of each class shall be allowed each day, so far as practicable, out door exercise and be employed in some out door labor. Each boy shall be provided with his own clothing and be taught to care for it. Solitary confinement shall not be allowed except for grave offenses specified by the rules of the trustees, and the apartment in which it is inflicted, shall be suitably warmed, lighted, and provided with a bed and proper appliances for cleanliness. All the boys shall receive the same quality of food and in quantities to satisfy the appetite of each. Punishment of withholding or short allowance of food shall not be inflicted.'

Solitary confinement not allowed.—exceptions.

'SECT. 17. A committee of the council, consisting of three, with whom shall be associated one woman, shall be appointed by the governor annually, who shall visit the state reform school from time to time, and examine into the treatment of the inmates, their condition and progress. They shall maintain in the school, a box for the receipt of letters, to which the inmates at all times shall have free access to deposit letters, without the knowledge or scrutiny of the officers of the school. They shall hear complaints of ill-treatment from the inmates, and shall make such suggestions to the superintendent and trustees as they think the good of the school requires, and yearly, severally report to the governor and council concerning the school, its condition and needs.'

CHAP. 251
Governor to
appoint visiting
committee.

Duties and
powers.

Approved March 15, 1883.

Chapter 251.

An Act fixing a time when other acts and and resolves shall take effect.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Except as provided in the following section, all acts and resolves passed by the sixty-first legislature, and approved prior to the approval of this act, shall take effect on the fifteenth day of April, in the year of our Lord one thousand eight hundred and eighty-three.

When acts and
resolves of sixty-
first legislature
shall take effect.

SECT. 2. This act shall not apply to acts of incorporation, nor to acts and resolves which by their own terms take effect at times other than the day last named. —exceptions.

SECT. 3. This act shall take effect when approved.

Approved March 15, 1883—8.30 P. M. Being the last of the series of Acts and Resolves passed prior to the recess of the Legislature.

PRIVATE AND SPECIAL LAWS

OF THE

STATE OF MAINE.

1883.

PRIVATE AND SPECIAL LAWS
OF THE
STATE OF MAINE.

1883.

Chapter 164.

An Act to authorize the Cabot Manufacturing Company to increase its capital stock.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows :*

Section two of chapter one hundred and thirty of the private and special laws of eighteen hundred and fifty-eight is hereby amended, by striking out the words "four hundred thousand," and inserting instead thereof the words 'one million,' so that the same section as amended shall read as follows :

Sec. 2, ch. 180,
special laws 1858,
amended.

'SECT. 2. Said corporation is authorized to carry on the manufacture of cotton, wool, iron and other articles, and to operate, for all the purposes to which water power is usually applied, at Brunswick and Topsham, in this state ; and may buy, hold and possess estates, real and personal, to an amount not exceeding one million dollars.'

Capital stock
increased.

Approved January 22, 1883.

Chapter 165.

An Act to extend the time for the location and construction of the Maine Shore Line Railroad, and for other purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Charter of Maine
Shore Line R. R.
extended.

SECT. 1. The time for the location and commencement of the construction of the Maine Shore Line Railroad by the Maine Shore Line Railroad Company, authorized by the act incorporating said company, chapter ninety-one of the special laws of eighteen hundred and eighty-one, is hereby extended to the first day of February, in the year of our Lord one thousand eight hundred and eighty-five, and the time for the completion of said railroad under said charter is hereby extended to the first day of February, in the year of our Lord one thousand eight hundred and eighty-seven. Said charter shall be continued in full force for said purposes.

Authorized to
extend its road
from Ellsworth to
some point on
line of Eastern
Maine Railway.

SECT. 2. The said Maine Shore Line Railroad Company is also hereby further authorized to extend said railroad authorized in its charter, and to locate, construct, equip, maintain and operate a railroad for such extension from some point in the city of Ellsworth, by such route as its directors may select, to some point upon the line of the railroad of the Eastern Maine Railway Company, and to contract with said Eastern Maine Railway Company for the use of the track, bridges, stations and other property of the latter company, and to run its trains over said Eastern Maine Railroad to connect with any railroad on the west side of the Penobscot river.

All original rights
preserved.

All the rights, powers and authority conferred upon said Maine Shore Line Railroad Company by its charter shall include the extension of said railroad authorized by this section.

Time for construc-
tion limited.

SECT. 3. If said Maine Shore Line Railroad Company shall not, in good faith, commence both the location and actual substantial construction of such extension or railroad authorized by the next preceding section, being the second section of this act, to wit : the line from Ellsworth to the line of the railroad of the Eastern Maine Railway Company, by the first day of August next, then the said Maine Shore Line Railroad Company shall forfeit all its rights, powers and authority under said second section, and the rights, powers and authority of the Eastern Maine Railway Company to locate and con-

struct a railroad over said territory, as named in the act, entitled "An Act to authorize the Eastern Maine Railway Company to extend its railroad" passed at this session, shall become established. Should said Maine Shore Line Railroad Company so commence said extension and railroad authorized by the second section, it shall have until said first day of February, in the year of our Lord one thousand eight hundred and eighty-five, to complete the same. *Provided, however,* that nothing in this section shall affect the authority, rights and powers of said Maine Shore Line Railroad Company east of Union river.

Proviso.

SECT. 4. Said Eastern Maine Railway Company may petition the railroad commissioners to determine whether the said Maine Shore Line Railroad Company has forfeited the authority, rights and powers conferred by the second section of this act. Said commissioners shall thereupon fix a time and place for a hearing, and give thirty days notice thereof to each company, and at said time and place shall hear the parties and determine said questions, and certify their decision to the secretary of state, who shall file and record the same. Such decision shall be conclusive. The omissions, however, to procure such decision shall not be a waiver of such forfeiture.

R. R. commissioners to determine if M. S. L. R. R. Co. has forfeited right to extend its road.

Proceedings.

SECT. 5. Said Maine Shore Line Railroad Company is authorized to lease the whole, or any part of its railroad, including the extension authorized by this act, to any other railroad company, and to connect or consolidate the same with any other railroad company, in the State or the province of New Brunswick, and such other railroad company is hereby authorized to take a lease thereof. Said Maine Shore Line Railroad Company is also authorized to lease or hire of any connecting railroad company its railroad or any part thereof.

Authorized to lease its road.

SECT. 6. All the powers, rights, and authority conferred upon said Maine Shore Line Railroad Company, by its charter or this act, shall continue to be held and exercised by said company or its assigns, as to so much of any of the said railroad, or extension, authorized in its charter or this act, as may be completed by the times limited in this act.

All original powers continued in force.

SECT. 7. Said Maine Shore Line Railroad Company may increase its capital stock to twenty-five thousand shares of one hundred dollars each.

Capital increased.

CHAP. 166

Authorized to
build branches.

SECT. 8. Said Maine Shore Line Railroad Company may locate, construct and operate branch tracks from its line in any one town.

SECT. 9. This act shall take effect when approved.

Approved January 24, 1883.

Chapter 166.

An Act to authorize the Eastern Maine Railway Company to extend its railroad, and for other purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Eastern Maine
Railway Co.
authorized to
extend its road.

SECT. 1. The Eastern Maine Railway Company is hereby authorized to locate, construct, maintain and operate a railroad from some point upon its present line of railroad to some point upon the island of Mount Desert in Hancock county, and a branch line of railroad from some point in the city of Ellsworth to some point upon Frenchman's bay in the town of Lamoine. The route and the termini of said railroad and branch so authorized, shall be such as the directors of said company may select and locate within said limits.

—to construct
branches.

SECT. 2. Said company may locate, construct, maintain and operate any branch track in any town upon its line.

—erect bridges
across navigable
waters.

SECT. 3. Said company may erect and maintain bridges for its railroad across any navigable waters upon its line, but shall maintain sufficient draws for the passage of vessels.

—to issue bonds.

SECT. 4. For the purpose of locating, constructing, maintaining, equipping and operating any railroad and branches authorized by this act, the said Eastern Maine Railway Company is authorized to issue its bonds to an amount not exceeding seven hundred and fifty thousand dollars, in such denominations and on such time and at such rate of interest as its directors may determine, and secure the same by mortgages of all of its franchises and property.

—to lease to
other companies.

SECT. 5. Said Eastern Maine Railway Company may lease its railroad or any portion thereof to any other railroad company or to any steamboat company, which companies are hereby authorized to take such lease. It may further lease or

purchase of any other railroad company its railroad connecting therewith. It may maintain and operate any line of steamboats connecting with its railroad.

SECT. 6. The said company shall be allowed until the first day of March, in the year of our Lord one thousand eight hundred and eighty-five, to locate the railroad and branch herein authorized, and until the first day of March, in the year of our Lord one thousand eight hundred and eighty-seven, to construct the same. So much of said railroad and branch, however, as may be located and constructed, by said dates, shall not be affected by the expiration of said limitation, nor shall said limitation apply to or affect any branch track wholly within any one town.

Time to locate
and construct,
limited.

SECT. 7. The organization of the Eastern Maine Railway Company from the holders of the bonds of the Bucksport and Bangor Railroad Company, made at Bangor on the twenty-eighth day of February, in the year of our Lord one thousand eight hundred and eighty-two, is hereby ratified, approved and made valid.

Organization,
ratified.

SECT. 8. So much of this act as relates to the location and construction of a railroad between the existing line of said company and Union river, in Ellsworth, shall take effect upon the first day of August next, provided, the Maine Shore Line Railroad Company shall then have forfeited its rights to locate and construct such railroad under the act entitled "An Act to extend the time for the location and construction of the Maine Shore Line Railroad, and for other purposes," passed at the present session of the legislature. If such rights be not thus forfeited then said part of this act shall take effect at the time of such forfeiture thereafter if any. The remaining provisions of this act shall take effect when approved by the governor.

When act takes
effect.

CHAP. 167**Chapter 167.**

An Act to authorize the Pepperell Manufacturing Company to increase its capital stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Pepperell Manufacturing Co.,
authorized to
increase its
capital stock.

SECT. 1. The Pepperell Manufacturing Company is hereby authorized to increase the capital stock of said corporation by adding thereto the sum of three hundred thousand dollars, so that the whole capital stock of said corporation shall amount to the sum of fifteen hundred thousand dollars.

SECT. 2. This act shall take effect when approved.

Approved January 25, 1883.

Chapter 168.

An Act to incorporate the North East Harbor Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. William Caswell Doane, Moorfield Storey, James T. Gardiner and Daniel E. Kimball, and such persons as they may associate with themselves in the enterprise are hereby incorporated into a corporation by the name of the

Corporate name.

North East Harbor Water Company for the purpose of supplying the village of North East Harbor in the town of Mount Desert in Hancock county, and the vicinity of said village, with pure water for domestic, sanitary and municipal purposes.

Powers and
privileges.

SECT. 2. Said company for said purposes may detain, take, store and distribute water from Hadlock's lower pond in said town of Mount Desert and from any streams flowing out of the same, and may locate, construct and maintain dams, reservoirs, sluices, aqueducts and pipes therefor. Such aqueducts and pipes may be located and constructed along and across any highway or town-way in said town, in such manner as the municipal officers of said town may approve.

May take lands.

SECT. 3. Said company may occupy any lands necessary for its dams, reservoirs, and other necessary buildings, and may locate and lay and maintain pipes in and through any lands, for said purposes, and excavate in and through such lands for such location and construction and maintenance.

It may enter-upon such lands to make surveys and locations, and shall file in the registry of deeds in said county of Hancock, plans of such location and lands, and within thirty days thereafter, publish notice thereof in some newspaper in said county. Such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any pipe or aqueduct, and not more than two acres by any reservoir.

CHAP. 168

Shall file in registry of deeds, plans of location.

SECT. 4. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location, occupation and construction, the land owner may, within twelve months after such filing of plans of location, apply to the commissioners of said county and have such damages assessed by a committee or jury, as in the case of petitions for increase of damages for land taken for highways. If said company shall fail to pay such land owner, or deposit for his use, with the clerk of the county commissioners, such sum as may be finally awarded, as damages, with costs, within sixty days after notice of final judgment shall have been received by the clerk of courts, the said location shall be thereby invalid, and the company forfeit all rights under the same. If such land owner recovers more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in sum and with such sureties as they approve, conditioned for said payment or deposit. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same. No action shall be brought against said company for such taking and occupation, until after such failure to pay or deposit as aforesaid. Damages for lands flowed shall be ascertained and paid in the same manner.

Land damages, how assessed and recovered.

Failure to apply for damages in given time, held to be waiver of same.

SECT. 5. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages ascertained in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

Damages for taking water, provided for.

CHAP. 169

Penalty for
polluting water
or injury to
works.

SECT. 6. Whoever shall, in any way wilfully pollute the water of said pond or stream, whether frozen or not, after said company shall have commenced taking the same, and whoever shall wilfully injure any of the works of said company, shall be punished by imprisonment not over two years, or by fine not exceeding one thousand dollars and shall be liable in an action for damages.

Capital stock.

SECT. 7. The capital stock of said company shall be the amount fixed by said company at its first meeting, not exceeding fifty thousand dollars.

SECT. 8. This act shall take effect when approved.

Approved January 25, 1883.

Chapter 169.

An Act to amend the charter of the Freewill Baptist Foreign Mission Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 294, special
laws of 1883, as
amended by Ch.
535, special laws
of 1888, further
amended.

SECT. 1. Chapter two hundred and ninety-four of the private and special laws of eighteen hundred and thirty-three, entitled "An Act to incorporate the Freewill Baptist Foreign Mission Society," as amended by chapter five hundred and thirty-five of the private and special laws of eighteen hundred and sixty-eight, is amended as follows: Said corporation shall have the power to take, hold and convey any estate, real or personal, the annual income of which shall not exceed one hundred thousand dollars.

May hold real
and personal
estate.
—limit.

May establish
schools in foreign
countries.

SECT. 2. In addition to the power granted in the foregoing section the said corporation shall have the right to take, hold and convey estates real or personal for the purpose of establishing and managing a school, college or other institution of learning in any foreign country.

Name changed.

Property rights
not to be affected.

SECT. 3. Said corporation shall hereafter be known and designated as the Free Baptist Foreign Mission Society, but no rights of property shall be disturbed or affected by said change of name, and all gifts, bequests, conveyances or proceedings in which the corporation is described as the Freewill Baptist Foreign Mission Society, shall be as valid and effect-

ual as if the said corporation was described as the Free Baptist Foreign Mission Society. CHAP. 170

SECT. 4. This act shall take effect when approved by the governor and adopted by vote of said corporation. When act shall take effect.

Approved January 26, 1883.

Chapter 170.

An Act to incorporate the Free Baptist Woman's Missionary Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Mary A. Davis, Arcy C. Hayes, Marietta S. Waterman, Marilla M. H. Hills, Vienna G. Ramsey, Emily S. Burlingame, Laura A. De Meritte, Julia A. Lowell, Marilla M. Brewster, Susan A. Porter, Frances S. Mosher, Mary R. Wade, Hannah D. Chamberlain, Clara C. Dexter, Emily C. Jenness, their associates and successors, are hereby constituted a corporation under the name of the Free Baptist Woman's Missionary Society, and by that name shall have power to prosecute and defend suits at law, have and use a common seal and change the same at pleasure, take and hold for the objects of their association, by gift, grant, bequest, purchase or otherwise, any estate, real or personal, the annual income of which shall not exceed twenty-five thousand dollars, and to sell and convey any estate, real or personal, which the interests of said society may require to be sold and conveyed.

Corporators.

Corporate name.

—powers.

—may hold property.

SECT. 2. All property and estate, real or personal, which at any time may come into the possession of the said corporation shall be faithfully applied to the promotion of the cause of missions, both in home and foreign lands, and to establishing schools therein.

—purposes.

SECT. 3. The said corporation may adopt such rules and by-laws, the same not being repugnant to the laws of this state, as they may deem expedient for the management of their affairs. They may choose all necessary officers, and they shall be and they are hereby invested with all the powers, privileges, rights and immunities incident to similar corporations.

By-laws.

—officers.

CHAP. 171

Meetings of.

SECT. 4. The said corporation may hold its meetings, annual or special, in any of the states or territories of the United States, and may choose its officers therefrom.

First meeting.

SECT. 5. The first meeting of the said corporation may be held in the Paige street Free Baptist church in Lowell, Massachusetts, on Wednesday, the thirty-first day of January, eighteen hundred and eighty-three, at nine o'clock in the forenoon, or at such other place and time as Mary A. Davis, Arcey C. Hayes and Marietta S. Waterman, or any two of them, may determine by giving seasonable notice of said meeting to all the persons named as corporators.

SECT. 6. This act shall take effect when approved.

Approved January 26, 1883.

Chapter 171.

An Act to incorporate the East Lamoine Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. E. G. Desisle, William H. Desisles, Charles L. Young, John D. Hopkins, Isaac B. Desisle, William C. Huckins, Jaman Perry, and such persons as they may associate with themselves in the enterprise, are hereby incorporated

Corporate name.

Purposes.

into a corporation by the name of the East Lamoine Water Company, for the purpose of supplying the village of East Lamoine, in the town of Lamoine, in Hancock county, and the vicinity of said village, with pure water for domestic, sanitary and municipal purposes.

Authorized to take, convey and distribute water in Lamoine.

May locate and construct dams, reservoirs, sluices, aqueducts and pipes.

SECT. 2. Said company for said purposes may detain, take, store and distribute water from Blunt's pond in said town of Lamoine and from any streams flowing out of the same, and may locate, construct and maintain dams, reservoirs, sluices, aqueducts and pipes therefor. Such aqueducts and pipes may be located and constructed along and across any highway or town-way in said town, in such manner as the municipal officers of said town may approve.

Authorized to occupy lands.

—lay down pipes.

SECT. 3. Said company may occupy any lands necessary for its dams, reservoirs and other necessary buildings, and may locate and lay and maintain pipes in and through any

lands for said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations and shall file in the registry of deeds, in said county of Hancock, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any pipe or aqueduct and not more than two acres by any reservoir.

Shall file in registry of deeds, plans of location.

SECT. 4. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location and occupation and construction, the land owner may, within twelve months after such filing of plans of location, apply to the commissioners of said county and have such damages assessed by a committee or jury, as in the case of petitions for increase of damages for land taken for highways. If said company shall fail to pay such land owner, or deposit for his use, with the clerk of the county commissioners, such sum as may be finally awarded, as damages, with costs, within sixty days after notice of final judgment shall have been received by the clerk of courts, the said location shall be thereby invalid, and the company forfeit all rights under the same. If such land owner recovers more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in sum and with such sureties as they approve, conditioned for said payment or deposit. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same. No action shall be brought against said company for such taking and occupation, until after such failure to pay or deposit as aforesaid. Damages caused by flowage are to be ascertained and paid in the same manner.

Land damages, how assessed.

—penalty for non-payment.

Failure to apply for damages in given time, held to be waiver of same.

SECT. 5. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages ascertained in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

Damages for taking water.

CHAP. 172

Penalty for
polluting water
or injury to
works.

SECT. 6. Whoever shall, in any way wilfully pollute the water of said pond or stream, whether frozen or not, after said company shall have commenced taking the same, and whoever shall wilfully injure any of the works of said company, shall be punished by imprisonment not over two years, or by fine not exceeding one thousand dollars and shall be liable to an action for damages.

Capital stock.

SECT. 7. The capital stock of said company shall be the amount fixed by said company at its first meeting, not exceeding fifty thousand dollars.

SECT. 8. This act shall take effect when approved.

Approved January 27, 1883.

Chapter 172.

An Act to change the name of Plantation number Eleven, Range One, in Aroostook County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name changed
to Cary planta-
tion.

That from and after the passing of this act, the Plantation heretofore called "Number Eleven, Range One," west from the east line of the state of Maine, in the county of Aroostook shall be called and known by the name of Cary Plantation. But nothing in this act shall be construed to impair any rights of said plantation.

Approved January 27, 1883.

Chapter 173.

An Act to amend "An Act to incorporate the city of Auburn."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

School committee
to consist of
mayor and ten
other persons.

SECT. 1. The superintending school committee of the city of Auburn, shall consist of the mayor of said city, who shall be ex-officio chairman, and ten other persons to be elected as hereinafter provided.

SECT. 2. The qualified voters in each ward shall at the annual municipal election next after the passage of this act by a majority of the votes cast, elect two of the residents of said ward as members of the superintending school committee, one of whom shall hold his office for the term of two years, and one for the term of one year, and the members of said committee in each ward so elected shall determine their respective terms of office by lot.

Election and tenure.

SECT. 3. At the annual municipal election in March eighteen hundred and eighty-four and thereafter at each annual election, the qualified voters of each of the said wards in manner aforesaid, shall elect one of the residents of said ward as a member of the superintending school committee to fill the place of the member whose term expires in March of that year, who shall hold office for the term of two years.

SECT. 4. The term of service of said committee shall commence on the third Monday of March in each year.

—when term of office shall commence.

SECT. 5. In case of failure in any ward to elect any member of said superintending school committee at the annual municipal election, or whenever from any cause a vacancy in said committee shall happen, the city council in joint convention shall elect by ballot a resident of the ward where the vacancy exists, to fill the same until the next annual election, when the qualified voters of said ward shall fill such vacancy for the remainder of the term.

—vacancies, how filled.

SECT. 6. The said committee shall have all the powers and perform all the duties in regard to the care and management of the public schools of said city which are now conferred and imposed upon superintending school committees by the laws of this state except as otherwise provided in this act.

—powers and duties.

They shall annually and whenever there is a vacancy elect a superintendent of schools for the current municipal year, who shall have the care and supervision of said public schools under their direction and act as secretary of their board. They shall fix his salary at the time of his election which shall not be increased during the year for which he is elected, except by consent of said city council, and may at any time dismiss him if they deem it proper and expedient. They shall annually as soon after the organization of their board as practicable, furnish to said city council an estimate in detail of the several sums required during the ensuing municipal year for the support of said public schools, and shall not

—shall elect, annually, superintendent of schools.

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increase the salaries of the superintendent and teachers or any other expenditures beyond the amounts specified therefor in such estimate, except by consent of said city council. No member of the committee shall receive any compensation for his services.

Powers not conferred by this act, vested in city council.

SECT. 7. All powers, obligations and duties in regard to said public schools not conferred and imposed upon said committee by the provisions of this act, shall be and are hereby vested in the city council of said city.

When act takes effect.

SECT. 8. This act shall take effect when approved by the governor and accepted by the city council of Auburn.

Approved January 27, 1883.

Chapter 174.

An Act authorising the city of Augusta to apply a certain bequest from L. W. Lithgow to library purposes, and to incorporate the Lithgow Library and Reading Room.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

City of Augusta authorized to apply bequest of L. W. Lithgow to library purposes.

SECT. 1. The city of Augusta is hereby authorized to appropriate and use all such money and other property, or the proceeds thereof, as shall be received by said city under the residuary clause in the will of the late Llewellyn W. Lithgow in providing accommodations, by a building or otherwise, for the public library and reading room established by aid of the specific legacy of twenty thousand dollars under a prior clause in said will, and in maintaining and enlarging said library.

Corporators.

SECT. 2. James W. Bradbury, P. O. Vickery, J. Manchester Haynes, Wm. R. Smith and Herbert M. Heath, the present board of trustees of said library and reading room, and their successors in said trust, are hereby constituted a body corporate under the name of the Lithgow Library and Reading Room, with all the corporate powers given to like corporations by chapter fifty-five of the revised statutes of eighteen hundred and seventy-one. Said corporation may take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value one hundred and fifty thousand dollars, owned at any one time, and use and

Corporate name.
—powers.

dispose thereof only for the purposes for which the corporation was organized. It is, however, here provided that the rules and regulations for the management of said library and reading room shall be subject to the authority of the city government of said city of Augusta. It is further provided that this section shall take effect only when said city of Augusta shall, by vote of its city government accept its provisions.

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Proviso.

When this section shall take effect.

Approved January 27, 1883.

Chapter 175.

An Act authorizing the County Commissioners of the county of Hancock to re-assess certain taxes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The county commissioners of the county of Hancock, at their next session after the passage of this act, are hereby authorized to re-assess upon the unincorporated tracts and townships of land situated in said county, the several amounts assessed thereon by the commissioners of said county in the year eighteen hundred and eighty-two as their proportion of the ordinary county expenses of that year, and the taxes hereby authorized to be re-assessed shall be collected according to the provisions of law, without reference to the month in which they may be re-assessed.

County commissioners of Hancock, authorized to re-assess tax.

SECT. 2. The taxes hereby authorized to be re-assessed shall be certified to the treasurer of state in like manner as is now provided by law, and by him advertised, according to law, within three months from the date of said re-assessment.

Taxes to be certified to treasurer of state and advertised.

SECT. 3. This act shall take effect when approved.

Approved January 27, 1883.

CHAP. 176**Chapter 176.**

An Act to authorize the Pejepscot Water Company to purchase and own real and personal estate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 2, ch. 109,
special laws of
1881, amended.

Section two of chapter one hundred and nine of the private and special laws of eighteen hundred and eighty-one, is hereby amended by striking out from the second line thereof the words, "necessary and convenient for the purposes afore-said," and by inserting instead thereof, the words, 'for any purposes as a natural person may do,' so that the same section amended, shall be as follows :

Pejepscot Water
Co. authorized to
hold property
same as a natural
person.

'SECT. 2. Said corporation may hold real and personal estate for any purposes as a natural person may do, not exceeding in amount, five hundred thousand dollars.'

Approved January 30, 1883.

Chapter 177.

An Act to legalize the doings of the town of North Haven.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of town of
North Haven,
legalised.

SECT. 1. The doings of the inhabitants of the town of North Haven, in the county of Knox, at a town meeting held July ten, eighteen hundred and eighty-two, in voting money to build a bridge across tide waters at Pulpit Harbor are hereby made legal and valid ; and said town is hereby authorized to maintain said bridge in repair ; said bridge to have a good and sufficient draw of the width of twenty-two feet for the passage of vessels.

SECT. 2. This act shall take effect when approved.

Approved February 1, 1883.

Chapter 178.**CHAP. 178**

An Act to make valid and legal the doings of certain officers of the town of Chesterville.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The official acts of the constable, collector and treasurer of the town of Chesterville for the year eighteen hundred and sixty-seven and for all subsequent years up to and including the year eighteen hundred and eighty-one, so far as the doings of either of said officers may be illegal and invalid on account of the omission to have them or either of them duly sworn or a record made of the same, are hereby ratified and made legal and valid.

Doings of officers
of Chesterville,
legalized.

SECT. 2. This act shall take effect when approved.

Approved February 1, 1883.

Chapter 179.

An Act to incorporate the York Harbor and Beach Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Edward S. Marshall, Frederic E. Potter, John E. Staples, John C. Stewart, Henry E. Evans, Jeremiah P. Simpson and their associates are hereby created a body corporate by the name of the York Harbor and Beach Railroad Company, with all the powers, rights and privileges, and subject to all the duties, obligations and restrictions conferred and imposed by the laws of the state.

Corporators.

Corporate name.

SECT. 2. Said corporation is authorized to construct, maintain and operate a railroad from some point on the Portland, Saco and Portsmouth railroad in the town of Kittery, across Spruce creek and York river, through the towns of Kittery and York to Union bluff in said town of York. Said corporation shall construct, maintain and operate a draw in its bridge over York river, suitable for the convenient passage of vessels accustomed to navigate said river at the place where such bridge may be constructed.

—powers.

SECT. 3. The capital stock of said corporation shall consist of not exceeding three thousand shares of fifty dollars each.

—capital stock.

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Authorized to
sell or lease its
line.

SECT. 4. Said corporation may sell or lease its line and all its improvements to any other railroad corporation, which latter company is hereby authorized to enter into such contract of sale or lease; and the directors of the two corporations may enter into such contract for the running and for the purchase, sale or lease thereof, as they may deem for the advantage of their respective corporations, subject to the approval of the stockholders of each.

—officers and
duties.

SECT. 5. The officers of said corporation shall be a president, clerk, treasurer, board of directors, and such others as may be prescribed in the by-laws. The powers and duties of the officers, and the manner of their election or appointment, shall be such as may be provided in the by-laws and rules of the corporation.

Act void, unless
road is located
within two years.

SECT. 6. If said railroad shall not be located in the manner provided by law within two years after the approval of this act, or shall not be completed within four years after such approval, in either case, this act shall be null and void.

Reason for grant-
ing charter.

SECT. 7. This charter is granted because the railroad herein provided for, will cross tide waters where vessels can navigate, so that the object of this corporation cannot be attained under the general laws for the formation of railroad corporations.

Approved February 1, 1883.

Chapter 180.

An Act to amend chapter one hundred and twenty-four of the Private and Special Laws of the year eighteen hundred and eighty-one, entitled "An Act to incorporate the Biddeford and Saco Water Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Ch. 124, special
laws of 1881,
amended.

SECT. 1. Chapter one hundred and twenty-four of the private and special laws of eighteen hundred and eighty-one is hereby amended, by striking out all of said chapter after the word "company" in the eighth line, and inserting instead thereof the following: 'For the purpose of conveying to and supplying the towns of Lyman, Dayton and Scarboro', and the cities of Biddeford and Saco, with pure water.

SECT. 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount four hundred thousand dollars.

SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Kennebunk pond, Swan's pond, or Saco River, or either of them, and all streams tributary thereto in either or all the towns of Lyman, Hollis, Dayton, Kennebunkport, Buxton, or cities of Biddeford and Saco, and is also authorized to erect, maintain dams and reservoirs, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting, discharging, distributing and disposing of water and forming proper reservoirs thereof; and said corporation may take and hold, by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

SECT. 5. The capital stock of said corporation shall be two hundred thousand dollars, which may be increased to four hundred thousand dollars by a vote of said corporation, and said stock shall be divided into shares of one hundred dollars each.

SECT. 6. Said corporation is hereby authorized to lay down, in and through the streets and ways in said towns of Lyman, Hollis, Dayton and Scarboro', and the cities of Biddeford and Saco, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the mayor and aldermen of said cities and selectmen of said towns may impose. And said corporation shall

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be responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said cities and towns all sums recovered against said cities and towns for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

SECT. 7. Said corporation is hereby authorized to make contracts with the United States, and with corporations and inhabitants of cities and towns through which the pipes of the company may be or shall hereafter be located, for the purposes of supplying water as contemplated by said act; and any city or town in which the pipes of this corporation shall be laid are hereby authorized, by its city council or selectmen, to enter into contract with said company for a supply of water, and for such exemption from public burden as the towns and cities herein named and said company may agree, which, when made, shall be legal and binding upon all parties thereto.

SECT. 8. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, where necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby; whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any streets, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

SECT. 9. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Kennebunk pond, Swan's pond, Saco river, or any of their tributary streams, in any manner whatever, or render them impure, whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant or other property held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding

one thousand dollars, or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

SECT. 10. Said corporation may issue its bonds for the construction of its works, upon such rates and time as it may deem expedient, not exceeding the sum of four hundred thousand dollars, and secure the same by mortgage of the franchise and property of said company.

SECT. 11. In case the works of this corporation shall not have been put into actual operation within three years from April one, eighteen hundred and eighty-three, the rights and privileges herein granted shall become null and void.

SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any seven corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode seven days before the time of meeting.

SECT. 13. This act shall take effect when approved.'

So that said chapter as amended shall read as follows :

'SECT. 1. James M. Andrews, Edward W. Staples, Horace Ford, Alfred Goodwin, R. W. Randall, William Hill, George W. Donnell, Samuel G. Twambley, Albert K. Cleaves, E. H. Banks, C. E. Hussey, Thomas Haley, W. H. Field, O. H. Staples, Oliver C. Clark, John S. Derby, John Quimby, George F. Owen, William J. Bradford, Enoch Lowell, with their associates and successors, are hereby made a corporation by the name of the Biddeford and Saco Water Company for the purpose of conveying to and supplying the towns of Lyman, Dayton and Scarboro', and the cities of Biddeford and Saco with pure water.

Corporators.

Corporate name.

SECT. 2. Said corporation, for said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding in amount, four hundred thousand dollars.

May hold real and personal estate.
—limit.

SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, detain and use the water of Kennebunk pond, Swan's pond, or Saco river, or either of them, and all streams tributary thereto in either or all the towns of Lyman, Hollis, Dayton, Kennebunkport, Buxton, or cities of Biddeford and Saco, and is also authorized to erect, maintain dams and reservoirs, and lay down and maintain pipes and aqueducts necessary for the proper accumulating, conducting,

Authorized to take and use certain waters, erect dams and reservoirs.

CHAP. 180 discharging, distributing and disposing of water and forming proper reservoirs thereof; and said corporation may take and hold, by purchase or otherwise, any lands or real estate necessary therefor, and may excavate through any lands where necessary for the purposes of this incorporation.

Damages and
adjustment
thereof.

SECT. 4. Said corporation shall be held liable to pay all damages that shall be sustained by any persons by the taking of any land or other property, or by flowage, or by excavating through any land for the purpose of laying down pipes and aqueducts, building dams and reservoirs, and also damages for any other injuries resulting from said acts; and if any person sustaining damage as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are by law prescribed in the case of damages by the laying out of railroads.

Capital stock.

SECT. 5. The capital stock of said corporation shall be two hundred thousand dollars, which may be increased to four hundred thousand dollars by a vote of said corporation, and said stock shall be divided into shares of one hundred dollars each.

Authorized to lay
pipes, etc.

SECT. 6. Said corporation is hereby authorized to lay down, in and through the streets and ways in said towns of Lyman, Hollis, Dayton and Scarboro', and the cities of Biddeford and Saco, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the purposes of their incorporation, under such reasonable restrictions as the mayor and aldermen of said cities and selectmen of said towns may impose. And said corporation shall be responsible for all damages to persons and property occasioned by the use of such streets and ways, and shall further be liable to pay to said cities and towns all sums recovered against said cities and towns for damages from obstruction caused by said corporation, and for all expenses, including reasonable counsel fees incurred in defending such suits, with interest on the same.

Liability for
damages.

May supply
water to United
States, etc.

SECT. 7. Said corporation is hereby authorized to make contracts with the United States, and with corporations and inhabitants of cities and towns through which the pipes of the company may be or shall hereafter be located, for the

purposes of supplying water as contemplated by said act; and any city or town in which the pipes of this corporation shall be laid are hereby authorized, by its city council or selectmen, to enter into contract with said company for a supply of water, and for such exemption from public burden as the towns and cities herein named and said company may agree, which, when made, shall be legal and binding upon all parties thereto. CHAP. 180

SECT. 8. Said corporation shall have power to cross any private or public sewer, or to change the direction thereof, where necessary for the purposes of their incorporation, but in such manner as not to obstruct or impair the use thereof; and said corporation shall be liable for any injury caused thereby; whenever the company shall lay down any pipes in any street, or make any alterations or repairs upon its works in any streets, it shall cause the same to be done with as little obstruction to public travel as may be practicable, and shall at its own expense, without unnecessary delay, cause the earth and pavements removed by it to be replaced in proper condition.

May cross and
change direction
of sewers.

SECT. 9. Any person who shall wilfully injure any of the property of said corporation, or who shall knowingly corrupt the waters of said Kennebunk pond, Swan's pond, Saco river, or any of their tributary streams, in any manner whatever, or render them impure, whether the same be frozen or not, or who shall throw the carcasses of dead animals or other offensive matter into said waters, or who shall wilfully destroy or injure any dam, reservoir, aqueduct, pipe, hydrant or other property held or owned by said corporation for the purposes of this act, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not less than one year, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

Penalty for injur-
ing property or
corrupting
waters.

SECT. 10. Said corporation may issue its bonds for the construction of its works, upon such rates and time as it may deem expedient, not exceeding the sum of four hundred thousand dollars, and secure the same by mortgage of the franchise and property of said company.

May issue bonds.

SECT. 11. In case the works of this corporation shall not have been put into actual operation within three years from

Charter null and
void, unless
works completed
in given time.

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First meeting,
how called.

April one, eighteen hundred and eighty-three, the rights and privileges herein granted shall become null and void.

SECT. 12. The first meeting of said corporation may be called by a written notice thereof, signed by any seven corporators herein named, served upon each corporator by giving him the same in hand or by leaving the same at his last usual place of abode seven days before the time of meeting.

SECT. 13. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 181.

An Act to authorize the Green Mountain Railway to change its gauge.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

G. M. Railway
authorized to
change its gauge.

SECT. 1. The Green Mountain Railway is hereby authorized to change the gauge of its road to any gauge not less than two feet nor more than six feet.

SECT. 2. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 182.

An Act to permit the Kennebunk and Kennebunkport Railroad to lease its road.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

K. and K. R. R.
Co authorized to
lease its road to
B. and M. R. R.

SECT. 1. The Kennebunk and Kennebunkport Railroad is hereby authorized and empowered to lease or grant the use and control of its road either before or after completion, and all its improvements, to the Boston and Maine Railroad, which latter corporation is hereby authorized to enter into such contract or lease, and the directors of the two corporations may enter into such contract for the use and running of the said road or lease thereof as the directors of the two corporations in the exercise of their best judgment and discretion may deem to be for the advantage of their respective corporations.

SECT. 2. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 183.**CHAP. 183**

An Act to authorize Converse Purington to erect a wharf in tide waters in the town of Bowdoinham.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Converse Purington, his associates or assigns are hereby authorized to erect and maintain a wharf from their own land into the tide water of Cathance river in the town of Bowdoinham, said wharf not to extend into said river more than twenty feet below low water mark.

C. Purington
authorized to
erect a wharf.

SECT. 2. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 184.

An Act to legalize the doings of the town of Bethel.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The doings of the inhabitants of the town of Bethel at their annual meeting held on the sixth day of March, eighteen hundred and eighty-two whereby they voted to refund the town debt, known as the bridge bonds, and authorized their treasurer to issue the bonds of the town for the purpose of retiring the old bridge bonds as they should become due, are hereby made legal and valid.

Doings of town of
Bethel, legalised.

SECT. 2. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 185.

An Act additional to and amendatory of chapter two hundred and sixteen of the Private and Special Laws of eighteen hundred and sixty-three, entitled "An Act to incorporate the Rockland and Thomaston Gas Light Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The Rockland and Thomaston Gas Light Company may, by a majority vote of its stockholders at any legal meeting called therefor, assess and levy a tax on each and

Rockland and
Thomaston Gas
Light Co., author-
ized to assess a
tax.

CHAP. 186 every share of the capital stock of said corporation for the purpose of paying its debts and incidental expenses of collecting such tax ; but said stock shall not be liable to assessment for more than thirty dollars a share in the aggregate.

How collected.

SECT. 2. The directors of said corporation are authorized and empowered to direct how and by whom said tax, so levied by said stockholders shall be collected, and to appoint a collector, who may be one of their own number, to collect said tax, and in case of neglect or refusal of any stockholder to pay the sum assessed on his shares within twenty days after demand made upon him, his legal representatives, agent or attorney, the said collector is authorized to sell at public auction the share or shares of any delinquent stockholder to the highest bidder, first giving public notice of the time and place of sale by publishing the same three weeks successively in some newspaper published in the county of Knox, state of Maine, and in some newspaper published in Boston, state of Massachusetts, the last publication to be five days at least prior to the day of sale.

SECT. 3. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 186.

An Act to set off T. B. Rowell and Walter D. Butterfield from Hartland village corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Certain persons
set off from Hart-
land village
corporation.

SECT. 1. T. B. Rowell and Walter D. Butterfield and their several estates embraced within the limits of Hartland village corporation created by chapter two hundred and seventy-five of the private and special laws of eighteen hundred and seventy-six, are hereby set off from said Hartland village corporation and released from all liabilities to said corporation occasioned by the act aforesaid, which may arise after the approval of this act.

SECT. 2. This act shall take effect when approved.

Approved February 3, 1883.

Chapter 187.**CHAP. 187**

An Act to change the name of the town of Howard, in Piscataquis county.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The name of the town of Howard, in the county of Piscataquis, shall be changed to that of Willimantic. Nothing herein contained shall affect the rights or liabilities of said town.

Name of town of Howard changed to Willimantic.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 188.

An Act to amend an act entitled "An Act to incorporate the National Bell Telephone Company of the State of Maine," passed in the year one thousand eight hundred and eighty, and being chapter two hundred and seventy-one of the Private and Special Laws of said year.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section two of chapter two hundred and seventy-one of the private and special laws of the year eighteen hundred and eighty is hereby amended by adding to said section the following: 'And said corporation is also authorized to lease, purchase, construct, maintain and operate telephone lines, and to carry on so much of their business as may be convenient beyond the limits of the state, and may there lease, purchase and hold any real and personal estate deemed necessary for conducting the same,' so that said section as amended, may read as follows :

Sec. 2, ch. 271, special laws 1880, amended.

'SECT. 2. Said corporation is hereby authorized to construct, maintain and operate telephone lines throughout the length and breadth of this state, with as many wires and branches as they may see fit, commencing and terminating at such point or points as they may select hereafter, within the limits aforesaid. And said corporation is also authorized to lease, purchase, construct, maintain and operate telephone lines, and to carry on so much of their business as may be convenient beyond the limits of the state; and may there lease, purchase and hold any real and personal estate deemed necessary for conducting the same.'

May construct and maintain lines in the state.

May lease, etc., lines out of the state.

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Charter further
amended.

SECT. 2. Section three of said chapter two hundred and seventy-one of the private and special laws of eighteen hundred and eighty is hereby amended by striking out the words, "five hundred thousand" where they occur in the third and eighth lines of said section three, and inserting instead thereof the words, 'two million two hundred thousand,' so that the said section three, as amended, shall read as follows :

Capital stock.

'SECT. 3. The capital stock of said company shall be of such an amount as they may from time to time determine to be necessary, not exceeding two million two hundred thousand dollars for the exclusive purpose of purchasing, constructing, maintaining and operating telephone lines hereby authorized and contemplated, and they may purchase, hold and dispose of such personal and real estate as may be necessary for that purpose, not exceeding two million two hundred thousand dollars, and shall have power by agreement with other persons or bodies corporate, to connect its lines with other telephone or telegraph lines within or without the state.'

When act takes
effect.

SECT. 3. This act may be accepted at any regular or special meeting of said corporation by a majority of the members present, and shall take effect from and after its approval.

Approved February 3, 1883.

Chapter 189.

An Act to amend an act entitled "An Act to incorporate the Ocean Street Railroad Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ocean St. R. R.
Co. authorized to
extend its loca-
tion and tracks
into Portland.

SECT. 1. The Ocean Street Railroad Company is hereby authorized and empowered, upon vote of two-thirds of the stockholders therein, to extend its location and tracks into the city of Portland and there construct, maintain and operate the same for and as a horse railroad, according to the charter approved March four, eighteen hundred and eighty, creating said company, along and upon the streets of said city not occupied for that purpose by any other corporation, upon like proceedings had and like assent given by the municipal

officers of said city, to wit: said company shall first obtain the assent of the municipal officers of said city thereto, and said officers shall at the same time determine within what limits of the street such tracks may be located and constructed and shall prescribe such terms and conditions as to paving, repairs of streets, bridge and draw and other matters as it deems essential to the city's interest, which assent, conditions and determination shall be made in writing, delivered to said company and a copy thereof filed in the office of the clerk of said city, together with a description of the location of said tracks in accordance therewith, and the written assent of said company thereto, and thereupon the location shall be deemed made and completed, as is provided for in said charter for the locating of the tracks of said company in the town of Deering; and with all the rights and privileges and subject to all the burdens and liabilities in and about said location and the operating of said horse railroad in said city, as in said town of Deering, which are granted and imposed by said charter, which is hereby amended and extended by making this act a part thereof.

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Assent of municipal officers required.

—copy to be filed in city clerk's office.

When location is deemed complete.

SECT. 2. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 190.

An Act to extend and amend the charters of the Penobscot Boom Corporation and of the Penobscot Lumbering Association.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. An act to amend and to extend the act to incorporate the Penobscot Lumbering Association and to amend the charter of the Penobscot Boom Corporation, approved February eight, eighteen hundred and sixty-nine, with all its sections and provisions, is hereby renewed and extended for the period of fifteen years from the limit heretofore fixed, with the following alterations: And the charter of the Penobscot Boom Corporation is also extended fifteen years from the limit heretofore fixed.

Charters of Penobscot Lumbering Association and Penobscot Boom Corporation, extended.

CHAP. 191

Tolls of corporation reduced.

Rate to continue two years, if association neglects to take lease, etc.

SECT. 2. The sum of nine cents a thousand, given by the fifth section of said act to the boom corporation as a compensation for the use of the boom, shores, buildings and other structures, is hereby reduced to, and established at seven and one-half cents a thousand.

SECT. 3. If said association should neglect to take the lease or should abandon the duties imposed and the boom should come back into the management of the corporation, the toll fixed at sixty-five cents by the second section of "An Act additional to acts establishing and regulating the Penobscot Boom Corporation," approved February six, eighteen hundred and sixty-nine, is to continue for two years only after the boom so comes back.

SECT. 4. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 191.

An Act to authorize the Monson Hotel Company to navigate Lake Hebron.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Monson Hotel Co. vested with sole right to navigate Hebron pond.

SECT. 1. The Monson Hotel Company, its successors and assigns, is hereby vested with the sole and exclusive right to navigate Lake Hebron, otherwise known as Hebron pond, in the town of Monson, with every kind of boat propelled by steam, for the term of ten years, *provided*, that if said company, its successors and assigns shall neglect for the term of two years to navigate said lake with steam, this act shall be void.

Penalty for infringement of right.

SECT. 2. Any person who shall use or employ on said lake, any boat or water craft for public use, propelled by steam, without being authorized by said company, its successors or assigns, shall forfeit for each offense not less than twenty dollars, nor more than one hundred dollars to be recovered by and for said company, its successors and assigns, in an action of debt.

Approved February 8, 1883.

Chapter 192.

CHAP. 192

An Act to vest the franchise and property of the proprietor of the Middle bridge, so called, on Eastern River, in the town of Dresden.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The proprietor of the Middle bridge, so called, on Eastern river, in the town of Dresden, which bridge was built under an act incorporating the Centre Bridge Company, in acts of eighteen hundred and forty-nine, chapter two hundred and forty-one, page three hundred and thirty-eight, is hereby authorized to transfer and convey, by sale, the said bridge, with all the franchises, land and appurtenances thereto belonging, upon appraisal as provided for in the third section of this act, to the said town of Dresden; and when the said bridge shall have been conveyed to said town, all the franchises of said proprietor together with all the powers, rights and privileges now exercised by him, shall vest in the said town of Dresden.

Town of Dresden authorized to purchase Middle bridge.

SECT. 2. The town of Dresden is hereby authorized and empowered to take and hold said bridge as a free bridge, with all the franchises, land and appurtenances thereto belonging, and to maintain the same in suitable repair.

To be made free.

SECT. 3. The municipal officers of the town of Dresden shall, upon the transfer of said bridge to said town, which shall be upon the appraisal of three disinterested persons to be chosen, one by the proprietor of said bridge, one by the municipal officers aforesaid, and a third by the two parties thus chosen, assume control of said bridge, lay the same out as a free town way, provide a suitable draw-tender, and in all other respects be governed as is provided in the act incorporating the Centre Bridge Company aforesaid. When the report of said appraisers is published, the town may pay or tender the amount of such report to the proprietor of said bridge, and thereupon it shall be free.

—to be transferred on appraisal.

Town to assume duties of bridge company.

SECT. 4. This act shall be inoperative unless the inhabitants of said town at a legal meeting shall, by a majority vote, accept the same. The municipal officers of said town shall insert in their warrant for said meeting an article for this object. The vote at said meeting shall be by ballot, thus: 'Middle bridge free: 'yes.' 'Middle bridge free: 'no.' The ballots shall be received, sorted, counted and declared as votes for town officers are, and shall be recorded

Act inoperative, unless accepted by inhabitants.

CHAP. 193

by the clerk in the town record; and if there be a majority of ballots with 'yes,' it shall be deemed to be an acceptance of this act, and said act shall then be in force; and if there be a majority of ballots with 'no,' then the provisions of this act shall be deemed to be suspended as to such bridge, until the town at a subsequent meeting, legally called, shall in the manner indicated in this section accept the provisions of this act as to said bridge.

Town authorized
to raise money.

SECT. 5. The town of Dresden is hereby authorized to raise money for the purposes of this act, by loan, taxation or otherwise.

Inconsistent acts
repealed.

SECT. 6. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 7. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 193.

An Act to authorize the erection and maintenance of a dam, at the mouth of the Little Madawaska Lake, on Township fifteen, Range four, Aroostook County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Hiram Stevens et
als. authorized to
build dam at
Little Madawaska
lake.

SECT. 1. Hiram Stevens, Levi W. Stevens, Amasa Howe, their associates, successors and assigns are hereby authorized and empowered to locate, build and maintain, at the mouth of the Little Madawaska lake, on township fifteen, range one, in the county of Aroostook, a dam and necessary sluice-ways, for the purpose of facilitating the driving down the Little Madawaska river, of logs and lumber intended for use and manufacture, in mills situated within said county.

Powers and
privileges.

SECT. 2. The parties named in the foregoing section, their associates, successors and assigns, for the purposes named in said section, and for connecting the dam named therein with the shores, may enter upon and pass over the shores of said lake with their agents, servants and teams, and may also, for said purposes, and to aid in driving logs and lumber as aforesaid, take such lands and timber as may be necessary for said purposes, and may flow such lands adjacent to said dam, as may be necessary in order to raise a sufficient head of water within said dam, making compensation therefor

Damages.

as is provided in the case of damages for lands taken in laying out highways if compensation therefor cannot be satisfactorily arranged with the owners of any lands so taken or flowed, by mutual agreement with such owners.

SECT. 3. This act shall take effect when approved.

Approved February 8, 1883.

CHAP. 194

Chapter 194.

An Act to authorize the sale of the Belgrade Hill Meeting House in North Belgrade, in the town of Belgrade.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The pew-holders of the Belgrade Hill meeting house, situate at North Belgrade, in the town of Belgrade, are hereby empowered to sell and convey all the interest of said pew-holders in said house and lot.

Pew-holders authorized to sell meeting house.

SECT. 2. Samuel E. Judkins, Thomas Eldred, Charles B. Crowell, or either of them, are hereby authorized and empowered to call a meeting of said pew-holders at the said meeting house. Said meeting is hereby authorized to appoint a suitable person or persons to sell and convey the property in said house and lot, at public or private sale, as said meeting shall determine. Notice of said meeting shall be posted in two public places in said town of Belgrade, and on the outer door of said meeting house, two weeks at least before said meeting.

Sale of, how conducted.

Approved February 8, 1883.

Chapter 195.

An Act relating to the Maine Wesleyan Seminary and Female College.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That the act incorporating the trustees of the Readfield Religious and Charitable Society, passed February twenty-eight, eighteen hundred and twenty-one, with all subsequent acts additional thereto and amendatory thereof, said corpora-

Special laws of Feb. 28, 1821, and subsequent acts, amended.

CHAP. 195

tion being now known as the Maine Wesleyan Seminary and Female College, is hereby altered and amended, so that as altered and amended it shall read as follows, viz :

Trustees.

'SECT. 1. Eliphalet Clark, John L. Blake, Reuben B. Dunn, Stephen Allen, Henry P. Torsey, Daniel B. Randall, Charles F. Allen, Anson P. Morrill, Thurston W. Stevens, John J. Perry, David R. Sampson, Francis A. Robinson, Joseph L. Morse, William Deering, John W. Munger, John N. Houghton, Ransom C. Pingree, John Ayer, Edwin R. French, Everett R. Drummond, Henry M. Blake, Guy C. Goss, Joseph A. Locke, Moses French, Ammi S. Ladd, Alden J. Blethen, Roscoe Sanderson and R. Wesley Dunn, being the present board of trustees, their associates and successors, are hereby continued and constituted a body politic and corporate by the name of Maine Wesleyan Seminary and Female College, and by that name shall have power to prosecute and defend suits at law, to have and use a common seal and to change the same at pleasure, to take and hold for the objects of their association by gift, grant, donation, devise, bequest, purchase or otherwise, any estate, real or personal, the net annual income of which shall not exceed twenty-five thousand dollars, and to sell and convey any estate, real or personal, which the interests of said institution may require to be exchanged, and all donations, gifts, grants, devises or bequests made to said corporation for specific purposes shall be appropriated according to the will and design of the donor, and in no other way.

Corporate name.

—powers and
privileges.

Property to be
used for promo-
tion of education.

SECT. 2. All property and estate, real and personal, which may at any time by gift, grant, donation, devise, bequest, purchase or otherwise, come into the possession of the said board of trustees, in their corporate capacity, shall be faithfully applied to the promotion of the cause of education by maintaining a seminary for males and females and a college for females at Kent's Hill, in Readfield, in the county of Kennebec, in this State.

Trustees may
adopt by-laws.

SECT. 3. The board of trustees aforesaid may adopt such rules, regulations and by-laws, the same not being repugnant to the laws of this state, as they may deem expedient for the management of their affairs, for the proper discipline and order, and for the general prosperity of said seminary and college ; they shall have power to establish in the said seminary and college such departments and courses of study as

—establish
course of study.

CHAP. 195

they may elect to establish; they shall fill by ballot all vacancies occurring in their board; they shall annually elect from their membership a president, secretary and treasurer, and the treasurer shall give bond to the satisfaction of the trustees for the faithful discharge of his duties; they shall annually elect the president of said seminary and college, and all necessary professors and teachers, and shall have power to remove the same at pleasure; but the president or any professor or teacher so elected shall not be removed during his term of office until reasonable notice shall have been given him in writing, specifying the grounds of removal, and a full hearing upon the specifications shall have taken place before the board of trustees, and a majority of the whole of said board is required to effect such removal; they shall have power to confer upon females graduating such degrees as are usually conferred by colleges or universities established for the education of youth.

Fill vacancies.

—elect officers from their membership.

—elect faculty and remove same.

—confer degrees.

SECT. 4. The number of said board of trustees shall not at any time be less than twenty nor more than twenty-five, except that the president of the faculty shall, ex-officio, be a member of the board for the time being and as hereinafter provided in section six, two-thirds of whom shall be members of the Methodist Episcopal church in regular standing, and nine shall constitute a quorum for the transaction of business.

Number of trustees fixed.

—quorum.

SECT. 5. Whenever any one person shall give to this corporation for educational purposes, as aforesaid, the sum of five thousand dollars in real or personal estate, the said person shall have the privilege of appointing one additional trustee to the existing number, four of said trustees above named having already been appointed under the provisions of this section, and also of directing how and in what way and manner his successor shall be elected and appointed forever, which shall be as valid as if the way and manner had been provided in this act.

Certain persons may appoint additional trustees.

SECT. 6. The said board of trustees shall have power to remove any trustee from their corporation whenever in the judgment of two-thirds of the remaining trustees for the time being, he shall become morally, or by age or otherwise disqualified from performing the duties of his office, and in filling any vacancy, cannot elect any person not a member of the Methodist Episcopal church, in regular standing, unless

How trustees may be removed.

CHAP. 195

after said election, two-thirds of the said board of trustees shall then be members of the Methodist Episcopal church as aforesaid.

Bequests, etc., heretofore made to trustees in another name, shall be deemed property of this college.

SECT. 7. All donations, gifts, grants, conveyances, devises, and bequests heretofore made to the trustees of the Readfield Religious and Charitable Society; to the trustees of the Maine Wesleyan Seminary; to the trustees of the Maine Wesleyan Seminary and Female Collegiate Institute; to the Maine Wesleyan Seminary and Female College, or that shall hereafter be made to either of said corporations or to the trustees thereof, shall be deemed good and valid and shall be and become the property of said Maine Wesleyan Seminary and Female College as if made to the said seminary and college, or to the trustees thereof, and shall be held by said trustees as if made to them, and the said trustees shall have the same right to prosecute in their corporate name any action at law or in equity upon any contract or liability heretofore made or existing with the trustees of the Readfield Religious and Charitable Society; the trustees of the Maine Wesleyan Seminary; the trustees of the Maine Wesleyan Seminary and Female Collegiate Institute; or with the Maine Wesleyan Seminary and Female College, as the said body politic, under whatever name, might have done if the name thereof had not been changed; and also to defend any suit which may be brought against them upon any such contract or liability; and all acts of said trustees in their corporate capacity are hereby ratified.

Inconsistent acts repealed.

SECT. 8. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 9. The legislature shall have power to alter or amend this act at any time.

SECT. 10. This act shall take effect when approved.'

Approved February 8, 1883.

Chapter 196.**CHAP. 196**

An Act to authorize the erection and maintenance of piers and booms in the Aroostook River at Fort Fairfield.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Hiram Stevens and Levi W. Stevens, their associates, successors and assigns are hereby authorized and empowered to locate, build and maintain in the Aroostook river, at Fort Fairfield, in the county of Aroostook, between the mill of said Hiram and Levi W. Stevens, and the west line of said town of Fort Fairfield, piers and booms, for sorting out logs and lumber coming down said river for use and manufacture in their said mill, and for holding the same. But said works shall be so constructed as not to impede the use or navigation of said river, and not to occasion any unreasonable delay or obstruction in the driving of any other logs and lumber.

Hiram Stevens et al. authorized to erect piers and booms in Aroostook river.

—shall not impede navigation.

SECT. 2. Said parties by aid of such piers and booms, may separate or sort out such logs and lumber, coming down said river, as are destined and intended for use and manufacture in their said mill, and may also hold such logs and lumber, so sorted out for their use and manufacture as aforesaid.

—powers.

SECT. 3. Said parties for the purpose of erecting, repairing and maintaining such piers and booms and connecting the same with the river shores, may, with their agents, servants and teams, pass and repass over said shores, and to and from the same, but for no other purpose.

May pass over lands to erect and repair.

SECT. 4. This act shall take effect when approved.

Approved February 8, 1883.

An Act to incorporate the Bangor and Brewer Steam Ferry Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Frank W. Lincoln of Bangor, Henry J. Leach and Charles J. Burr, both of Brewer, successors and assigns, are hereby constituted a body corporate, by the name of the

Corporate name.

Bangor and Brewer Steam Ferry Company, with power to take and hold by lease or purchase, such real and personal property as may be necessary to effect the objects of this charter. They shall also have and enjoy the powers and rights usual and incident to such corporations.

May establish a ferry.

SECT. 2. Said corporation is hereby empowered to establish and maintain for twenty years from the time it is opened for travel, a ferry across the Penobscot river, below the Bangor and Brewer toll bridge and at or near the present ferry, with one or more boats of such construction, power and capacity as the United States steamboat inspectors for the district of Maine shall approve, to be propelled by steam power, for the safe and convenient transportation of foot passengers, their baggage and freight. Said corporation may temporarily run a boat or boats propelled by hand, instead of steam power, when accident, storms or ice make it necessary.

Time for running boats.

SECT. 3. The season for running said boat or boats shall be from the opening of the river to the closing of the same with ice ; and the corporation shall provide such suitable slips and approaches to their ferry, and make such a number of trips a day, between the hours of six in the morning and nine in the evening, as the county commissioners shall direct or approve, and shall make and keep in repair, proper approaches to the ice in the winter. A boat or boats shall be run on Sundays as well as on week days.

Shall buy boats and slips of present ferry.

SECT. 4. The corporation shall purchase the ferry boats and slips of the present ferry, and any other property used therewith, on or before the first day of June, eighteen hundred and eighty-three, and if the parties cannot agree upon the price thereof, the county commissioners, after notifying the parties, shall appraise the same, and the corporation shall pay the sum so appraised within ten days after the same is made known, and may, if necessary, run said boats by hand

power during the remainder of the ferry season of eighteen hundred and eighty-three, to give time to prepare their steamboats. CHAP. 197

SECT. 5. A toll is hereby granted and established for the benefit of said corporation of one cent for each foot passenger, and for baggage or freight weighing not less than twenty-five nor more than one hundred pounds, two cents, and one cent additional for every additional hundred pounds or fraction thereof. Tolls.

SECT. 6. If said corporation, after they have accepted this charter and established a ferry, shall neglect to furnish a suitable and safe boat or boats, and proper attendance, as required by this act, they shall forfeit and pay for each offense five dollars, to be recovered in an action of debt, to the use of any person suing therefor. Said corporation shall also be liable in an action on the case to the party injured for any loss or damage occasioned by their neglect or want of proper care. Forfeiture in case of neglect.

SECT. 7. After a ferry is actually established under this act, and so long as it shall be maintained under the provisions thereof, the county commissioners for Penobscot county shall not have power to license a ferry across the Penobscot river, within one mile of the ferry so established. Special privilege granted.

SECT. 8. Nothing in this act shall be construed to give this corporation power to take private property without consent of the owner thereof, except as herein specified. Private property shall not be taken.

SECT. 9. Unless the ferry hereby authorized is established and put in operation within two years from the approval of this act, then the same shall be void. Act void unless ferry is established within two years.

SECT. 10. The powers granted by this act may be enlarged or restrained at the pleasure of the legislature.

SECT. 11. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 108.

An Act to incorporate the Merchants' Marine Railway Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Nathan R. Dyer, William Spear, Benjamin W. Pickett, John H. Russell and O. B. Whitten, their associates, successors and assigns are hereby created a body politic and corporate by the name of the Merchants' Marine Railway Company, with all the rights, powers and privileges of similar corporations for the purpose of erecting, supporting and maintaining wharves and a marine railway on lands and flats which said corporation may take, lease or purchase in the town of Cape Elizabeth in the county of Cumberland, and of engaging in such other branches of business or trade as may be necessarily or conveniently connected with the management of their wharves and marine railway, with the power to erect and maintain on their premises in said Cape Elizabeth all works, machinery, buildings and conveniences needed and useful therefor; and may take and hold real and personal estate to an amount not exceeding twenty thousand dollars.

Corporate name.

Powers and privileges.

Liability for damages.

SECT. 2. Said corporation shall be liable to pay all damages sustained by any person in their property by the taking of any land, and if any person sustaining damage as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are now by law prescribed in the case of damages by laying out of railroads, *provided, however*, that this corporation shall not locate any of its works or wharves on any portion of the land of any other marine railway company and the location of their said wharves shall be subject to the approval of the harbor commissioners of the city of Portland.

Proviso.

First meeting.

SECT. 3. The said Nathan R. Dyer is hereby authorized to call the first meeting of said corporators, by giving written notice to his associates, seven days prior to said meeting.

SECT. 4. This act shall take effect when approved.

Approved February 8, 1883.

Chapter 199.

CHAP. 199

An Act to vest the property and franchise of the proprietors of the Upper Bridge, so called, on Eastern River, in the town of Dresden.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The proprietors of the Upper Bridge, so called, on Eastern river in the town of Dresden, which bridge was built under an act for incorporating certain persons for the purpose of building a bridge over Eastern river, near Lithgow's Mills in the town of Dresden, in Massachusetts special laws, volume two, page one hundred and twenty-eight, passed March eight, seventeen hundred and ninety-seven, and by additional act of March four, eighteen hundred, are hereby authorized to transfer and convey by sale the said bridge, with all the franchises, land and appurtenances thereto belonging, upon appraisal as hereinafter provided to the said town of Dresden ; and when the said bridge shall have been conveyed to said town, all the franchises of said proprietors, together with all the powers, rights and privileges now exercised by them, shall vest in the said town of Dresden.

Owners of Upper bridge authorized to sell bridge to town of Dresden.

All franchises, &c., to vest in town.

SECT. 2. The town of Dresden is hereby authorized and empowered to take and hold said bridge as a free bridge, with all the franchises, land and appurtenances thereto belonging, and maintain the same in suitable repair ; and the act, private laws of eighteen hundred and sixty-one, chapter thirty-five, section two, concerning the proprietors of the Upper Bridge on Eastern river shall be held to authorize said town to raise money and to take by purchase or otherwise, said bridge and franchise ; and to that end, in case the proprietors refuse to sell, or the parties cannot agree as to damages, the supreme judicial court for the county of Lincoln, upon petition from the municipal officers of Dresden, after notice and hearing, may appoint a committee of three disinterested persons to determine the value of said bridge, land and franchise ; and their report shall be returned to the said court, and the same proceedings may be had thereon as upon the report of a committee provided by revised statutes of eighteen hundred and seventy-one, chapter eighteen, section thirteen. When the report of said committee is accepted, the town may pay or tender the amount of such report to the bridge corporation and thereupon said bridge shall be free.

To be made free.

Town authorized to take bridge by purchase or otherwise.

Proceedings in case owners refuse to sell.

CHAP. 199

Town to assume
duties of proprie-
tors.

SECT. 3. The municipal officers of the town of Dresden shall, upon the transfer of said bridge to the town, by conveyance from the proprietors, or by the legal proceedings provided in section two of this act, assume control of said bridge, lay the same out as a free town way, provide a suitable draw-tender, and, in all other respects be governed in the manner provided in said act of incorporation, and in said act, private laws of eighteen hundred and sixty-one, chapter thirty-five.

Act void, unless
inhabitants vote
to accept.

SECT. 4. This act shall be inoperative unless the inhabitants of said town, at a legal meeting shall, by a majority vote accept the same. The municipal officers of said town shall insert in their warrant for said meeting an article for this object. The vote at said meeting shall be by ballot, thus: 'Upper Bridge free: yes.' 'Upper Bridge free, no.' The ballots shall be received, sorted, counted and declared as votes for town officers are, and shall be recorded by the clerk in the town record. And if there be a majority of ballots with 'yes,' it shall be deemed an acceptance of this act, and said act shall then be in force; and if there be a majority of ballots with 'no,' then the provisions of this act shall be deemed to be suspended as to such bridge, until the town at a subsequent meeting, legally called, shall in the manner indicated in this section, accept the provisions of this act as to said bridge.

Town authorized
to raise money.

SECT. 5. The town of Dresden is hereby authorized to raise money for the purposes of this act, by loan, taxation or otherwise.

Inconsistent acts
repealed.

SECT. 6. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SECT. 7. This act shall take effect when approved.

Approved February 9, 1883.

Chapter 200.

CHAP. 200

An Act to incorporate the Portland Soldiers' and Sailors' Monument Association.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. John Marshall Brown, Israel Washburn, Junior, Corporators.
Seth C. Gordon, Woodbury S. Dana, Charles P. Mattocks,
Francis Fessenden, Philip H. Brown, James P. Baxter, R.
M. Richardson, Jacob McLellan, Theophilus C. Hersey,
Alvin A. Strout, Charles W. Roberts, George E. Brown,
Charles H. Haskell, John O. Rice, William H. Greene, F.
H. Fassett, H. B. Brown, Arthur M. Sawyer and H. S.
Melcher, and all persons who may hereafter become associated
with them, are hereby created a corporation by the name of Corporate name.
the Portland Soldiers' and Sailors' Monument Association for
the purpose of erecting and maintaining a monument or —purpose.
memorial within the limits of the city of Portland, in the
county of Cumberland, to those brave men of Portland,
soldiers of the United States army and sailors of the navy of
the United States, who died in defense of the country in the
late civil war.

SECT. 2. Said corporation shall have power by its corpo- Powers.
rate name to prosecute and defend suits at law and in equity,
and may have and use a common seal, and make such by-laws,
rules and regulations as may be necessary for the govern-
ment and management of its concerns, not repugnant to the
laws of the state. Said corporation shall be established in
the city of Portland, county of Cumberland, and shall enjoy
all the rights and privileges incident to corporations under
the laws of this state.

SECT. 3. Said corporation may take and hold by purchase, May hold real or
personal prop-
erty.
devise, gift or otherwise, any real or personal property to
the amount of one hundred thousand dollars, and may sell,
convey or use the same in any manner necessary to effect the
object and carry out the purposes of the corporation.

SECT. 4. Authority is hereby given to said corporation May issue stock.
to issue stock to the amount of one hundred thousand dollars
to be divided into shares of one dollar each.

SECT. 5. Charles W. Roberts and H. S. Meloher, named First meeting.
in this act, or either of them, are hereby authorized to call
the first meeting of the corporation by giving seven days'
notice thereof by publication in some daily paper or papers

CHAP. 201Officers and
tenure.Treasurer to give
bond.Annual meeting,
etc.Stock non-assess-
able.

published in said Portland, at which meeting said corporation may choose any person or persons members thereof, and elect such officers as may be necessary for its organization and government, who shall continue in office one year and until others are chosen and qualified in their stead. The treasurer, before entering upon his duties, shall give a bond, approved by the directors, for the faithful discharge of the same.

SECT. 6. Said corporation may, by its by-laws, determine the time for holding its annual and other meetings, the qualifications of its members, and all other matters essential for the accomplishment of its purposes not herein specially determined, and not repugnant to the laws of the state.

SECT. 7. The stock of this corporation shall be forever unassessable.

SECT. 8. This act shall take effect when approved.

Approved February 9, 1883.

Chapter 201.

An Act additional to chapter six hundred and eleven of the Private and Special Laws of eighteen hundred and seventy-four, incorporating the Sandy River Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sandy River
Telegraph Co.
authorized to
construct, etc.,
lines of telephone.

SECT. 1. The Sandy River Telegraph Company, incorporated by the legislature of eighteen hundred and seventy-four, is hereby authorized to locate, construct, maintain and operate a line or lines of telephone, as well as lines of telegraph, as fully as if originally vested with that authority.

—to collect tolls,
lease, etc., to
other lines.

SECT. 2. Said corporation is also authorized to establish and collect tolls on said lines, connect its lines with those of any other telegraph or telephone company, or sell or lease its lines of telegraph and telephone and property, either before or after completion, to any other telegraph or telephone company, upon such terms as may be agreed upon, or purchase or lease any other line or lines of telegraph or telephone, upon such terms and conditions as may be agreed upon.

SECT. 3. This act shall take effect when approved.

Approved February 9, 1883.

Chapter 202.

CHAP. 202

An Act to incorporate the Rangeley Telephone and Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. J. R. Toothaker, Geo. M. Esty, Luther Nile, Daniel Hoar, S. A. Ross, G. W. Young, James B. Lamb, J. F. Oakes, J. F. Inman, G. D. Huntoon, J. A. Burke, J. W. Hinkley, their associates, successors and assigns are hereby created a body politic by the name of the Rangeley Telephone and Telegraph Company, with all the powers, rights and privileges, and subject to all the duties and obligations granted and prescribed by the general laws of this state, relating to corporations. Said corporation shall have the right to locate, construct, maintain and operate lines of telephone and telegraph from any point in the town of Phillips through any intervening town or plantation to Indian Rock in the town of Rangeley or to any intermediate point, with branch lines to Lake Kennebago, Lake Umbagog, the state line, or any other point on the Rangeley chain of lakes.

Corporators.

Corporate name.
Privileges and obligations.

May construct lines from Phillips to Rangeley.

SECT. 2. Said company shall have the right within the limits aforesaid to locate, construct and maintain its lines upon and along any public way, railroad, bridge or private lands, but in such manner as not to incommode or endanger the customary use of such way, road or bridge, with the right to cut down trees and remove obstacles when necessary, within the limits aforesaid, except ornamental, fruit or shade trees, and with the power to establish and collect tolls on said line or lines.

Right to locate, etc., lines.

SECT. 3. If the land of any individual or corporation is taken under this act, and the parties cannot agree on the damages occasioned thereby, they shall be estimated, secured and paid in the manner provided in case of land taken for railroads.

Damages, how settled.

SECT. 4. Said corporation is hereby authorized to connect its line or lines with those of any other telegraph or telephone company, or to sell or lease its line or lines of telegraph and property and telephone and property either before or after completion, to any other telegraph or telephone company upon such terms as may be mutually agreed upon, which sale or lease shall be binding upon the parties, or to purchase or lease any other line or lines of telegraph or

Authorized to connect with, lease or sell to other lines.

CHAP. 203 telephone upon such terms and conditions as may be mutually agreed upon.

Capital stock. SECT. 5. The amount of the capital stock shall be fixed by vote of the corporation but not to exceed the amount that may from time to time be determined to be necessary for the purposes herein specified; but not to exceed in all, the sum of ten thousand dollars, and said corporation may purchase, hold, sell and convey real estate and personal property necessary for the purposes contemplated in this charter.

First meeting, how called. SECT. 6. Any one of the corporators named in this act may call the first meeting of this company, by mailing a written notice, postage paid, to each of the other corporators, seven days at least before the day of meeting, naming the time, place and purposes of such meeting. And at such meeting a president, secretary, treasurer and directors may be chosen, by-laws adopted, and any corporate business transacted.

Officers and by-laws.

SECT. 7. This act shall take effect when approved.

Approved February 9, 1883.

Chapter 203.

An Act to incorporate the Portland Trust Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators. SECT. 1. Harrison J. Libby of Portland, Frederick Robie of Gorham, Joseph Dane of Kennebunk, Samuel A. Holbrook of Freeport, Mark P. Emery of Portland, William W. Brown of Portland, Frederick N. Dow of Portland, William E. Gould of Deering and Charles F. Libby of Portland, their associates and successors, are hereby created a corporation by the name of the Portland Trust Company, to be located at Portland, in the county of Cumberland, for the purpose of receiving on deposit, money, securities, stocks, bonds, coin, valuable papers, evidences of debt, documents and other property, and of collecting and disbursing the principal, interest and income of said property, and may act as agents for the purpose of registering and countersigning bonds, stocks, certificates, or evidences of debt, and may also hold by grant,

Corporate name.

Purposes.

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assignment, transfer, devise or bequest any real or personal estate on trusts duly created, and execute such trusts on such terms as may be established or agreed upon with reference thereto; and may also hold real estate for its own purposes.

May hold real estate.

SECT. 2. Said corporation shall at all times have on hand in lawful money, as a reserve, not less than twenty-five per centum of the aggregate amount of all its deposits, which are subject to withdrawal on demand; *provided*, in lieu of lawful money, one-third of said twenty-five per centum may consist of balances, payable on demand, due from any national or state banks.

Reserve fund shall be in lawful money.

Proviso.

SECT. 3. Any administrator, assignee, guardian, or trustee, any court of law or equity, including courts of probate and insolvency, may deposit or direct any moneys, bonds, stocks, coin, valuable papers, documents and evidences of debt, to be deposited with said corporation.

Trust funds may be deposited with corporation.

SECT. 4. The capital stock of said corporation shall be one hundred thousand dollars, with right to increase the same at any time, by vote of a majority of its shareholders, to one million dollars, to be divided into shares of one hundred dollars each. Said corporation shall not commence business until the sum of one hundred thousand dollars shall have been paid in, in cash, and no certificate of shares shall be issued until the par value of the same has been fully paid.

Capital stock.

SECT. 5. All the corporate powers of said corporation shall be exercised by a board of fifteen trustees and such officers and agents as they shall appoint. Said trustees shall be residents of this state, and shall be sworn to the faithful performance of the duties of their office. They shall be elected annually, and shall hold their offices until others are chosen and qualified in their stead.

Powers to be exercised by board of trustees

—election of.

SECT. 6. The shareholders of this corporation shall be individually responsible, equally and ratably, and not one for the other, for all contracts, debts and engagements of said corporation to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares.

Responsibility of shareholders.

SECT. 7. The deposits in said corporation shall pay to the state treasurer a tax at the same rate as deposits in saving banks in this state and said corporation shall make the same

How taxed.

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Bank examiner
to visit and ex-
amine annually.

return to the treasurer of the state for the purpose of taxation as are required from saving banks.

SECT. 8. Said corporation shall be subject to examination by the bank examiner, who shall visit it at least once in every year, and as much oftener as he may deem expedient. At such visits he shall have free access to its vaults, books and papers, and shall thoroughly inspect and examine all the affairs of said corporation, and make such inquiries as may be necessary to ascertain its condition and ability to fulfill all its engagements. He shall preserve in a permanent form a full record of his proceedings, including a statement of the condition of said corporation. A copy of said statement shall be published by said corporation immediately after the examination of the same, in some newspaper published in Portland.

SECT. 9. This act shall take effect when approved.

Approved February 9, 1883.

Chapter 204.

An Act to establish a municipal court in the town of Westbrook.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Westbrook
municipal court,
established

Appointment,
qualification and
authority of
judge.

SECT. 1. A municipal court is hereby established in and for the town of Westbrook, to be denominated the municipal court of the town of Westbrook, and to consist of one justice who shall be an inhabitant of said town and a person of sobriety of manners. Said judge shall be appointed as provided in the constitution for the appointment of judges of municipal and police courts; and shall be, ex-officio, a justice of the peace and of the quorum for the state, and have and exercise concurrent jurisdiction with trial justices of the county of Cumberland over all matters and things within their jurisdiction, and such authority and jurisdiction additional thereto as are conferred upon him by this act.

Jurisdiction.

SECT. 2. Said court shall have exclusive original jurisdiction of all offenses against the ordinances and by-laws of said town, and of all such criminal offenses and misdemeanors committed therein, as are cognizable by trial justices; and of

all civil actions wherein the debt or damages demanded do not exceed twenty dollars, and both parties reside in said town; except when the judge of said court is interested in any such action as party or attorney.

SECT. 3. Nothing in this act shall be construed to give said court jurisdiction of any civil action in which the title to real estate, according to the pleadings or brief statement filed therein by either party, is in question; and all such actions brought therein shall be removed to the supreme judicial court, or otherwise disposed of as in like cases before a trial justice.

Not to have jurisdiction when title to real estate is in question.

SECT. 4. Said court shall be held on the first Saturday of each month, except July and August, at nine o'clock in the forenoon for the transaction of civil business at such place within said town as said judge shall determine; but the selectmen of said town may at any time, provide a court room in which case the court shall be held therein, and all civil processes shall be made returnable accordingly; and it may be adjourned from time to time, by the judge at his discretion; but it shall be considered in constant session for the cognizance of criminal actions.

Terms, first Saturday of each month.
—exceptions.

Town may provide court room.

Adjournment.

SECT. 5. If said judge is prevented by any cause from attending at the time said court is to be held for civil business, it may be adjourned from day to day by a constable of said town, or any deputy sheriff residing therein, without detriment to any action then returnable or pending, until he can attend, when said action may be entered or disposed of with the same effect as if it were the first day of the term; and it may be so adjourned without day when necessary, in which event, pending actions shall be considered as continued, and actions then returnable may be returned and entered at the next term with the same effect as if originally made returnable at said term.

May be adjourned by constable or sheriff when judge does not attend.

SECT. 6. Said judge may establish a seal for said court, or use the seal in common use by trial justices; and in addition to the judicial duties imposed upon him by this act, he shall keep the records of said court or cause them to be made and kept; and perform all other duties required of similar tribunals in this state; and copies of such records duly certified by said judge shall be legal evidence in all courts. All writs and processes issuing from said court shall be in the

Judge may establish seal.

—duties.

Copies of record, evidence.
Writs and processes, form and service.

CHAP. 204

Actions to be
entered on first
day of term.

Proceedings.

usual forms, bear the teste of the judge, and be signed by him; and shall be served as like precepts are required to be served when issued by trial justices. But warrants in criminal cases issuing from said court shall be made returnable before the same; and no writ in a civil action shall be made returnable at a term of said court to begin more than two calendar months after the commencement of the action.

SECT. 7. Actions in said court shall be entered on the first day of the term, and not afterwards, except by special permission. When a defendant, legally served, fails to enter his appearance by himself or his attorney, on the first day of the return term, he shall be defaulted; but if he afterwards appears during the term, the court may, for sufficient cause, permit the default to be taken off. Pleas in abatement must be filed on or before the day of the entry of the action. The defendant may file his pleadings, which shall be the general issue with a brief statement of special matters of defense, on or before the return day of the writ, and must file them on or before the first day of the next term, or he shall be defaulted, unless the court for good cause, enlarge the time for which it may impose reasonable terms. Actions in which the defendant files his pleadings on the return day, and all actions of forcible entry and detainer, seasonably answered to, shall be in order for trial at the return term, and shall remain so until tried or otherwise finally disposed of, unless continued by consent or on motion of either party for good cause, in which latter case, the court may impose such terms as it deems reasonable; but all other actions, unless defaulted or finally disposed of, shall be continued as of course, and be in order for trial at the next term.

Fees of judge.

SECT. 8. The judge of said court may demand and receive the same fees as are allowed to trial justices in similar cases, except that he shall be entitled to fifty cents for a complaint and warrant in criminal actions, twenty-five cents for the entry in a civil action, and one dollar for the trial of an issue, civil or criminal, and two dollars for every day after the first, occupied in such trial, to be paid by the plaintiff in civil actions and recovered by him as costs, if he prevail in the suit; and the fees so received by the said judge shall be payment in full for his services.

SECT. 9. The costs and fees allowed to parties, attorneys and witnesses, in all actions in said court, shall be the same as allowed by trial justices in actions before them; except that the plaintiff, if he prevail, shall be allowed one dollar for his writ, and the defendant, if he prevail, one dollar for his pleadings.

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Costs and fees to parties, attorneys and witnesses, how regulated.

SECT. 10. Any party may appeal from a sentence or judgment of said court to the then next term for civil or criminal business, as the case may require, of the court having jurisdiction within the county of Cumberland, by appeal from trial justices; and such appeal shall be taken and prosecuted in the same manner as from a sentence or judgment of a trial justice.

Appeals.

SECT. 11. Trial justices are hereby restricted from exercising any jurisdiction in said Westbrook over any matter or thing, civil or criminal, except such as are within the jurisdiction of justices of the peace and of the quorum, and except that they may issue warrants on complaints for criminal offenses returnable before said court; or in case of the death, disability or long continued absence from the state, of the judge, before themselves or some other trial justice within and for said county; *provided that* said restrictions shall be suspended until the said judge shall be appointed and enter upon the duties of his office.

Jurisdiction of trial justices, restricted.

Approved February 13, 1883.

Chapter 205.

An Act to prevent the taking of trout from Tuft's Pond and Grindstone Pond, in the town of Kingfield for the term of three years.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. All persons are forbidden to take trout, in any manner, from Tuft's pond and Grindstone pond, in the town of Kingfield, in the county of Franklin, for the term of three years from the passage of this act.

Taking of trout from Tuft's and Grindstone ponds prohibited.

SECT. 2. Any person violating the provisions of this act shall forfeit and pay not less than five nor more than ten dollars, to be recovered by complaint before any trial justice,

Penalty for violation of act.

CHAP. 206 one-half to the complainant and one-half to the town where the complaint is made.

SECT. 3. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 206.

An Act additional to "An Act to incorporate the Central Market House Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Charter Central
Market House Co.
amended

The Central Market House Company is hereby authorized to use and occupy its building for manufacturing and other purposes, than as a market house, as provided in section two in the act of incorporation, approved March twenty-nine, eighteen hundred and thirty-six.

Approved February 14, 1883.

Chapter 207.

An Act to authorize the Edwards Manufacturing Company to increase its capital stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Edwards Manu-
facturing Co.
authorized to
increase capital
stock.

SECT. 1. The Edwards Manufacturing Company, a corporation duly organized under the general laws, is hereby authorized, at any legal meeting of the stockholders thereof, to increase its capital stock, from time to time, to a sum not exceeding two millions of dollars.

SECT. 2. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 208.**CHAP. 208**

An Act to incorporate the Bar Harbor and Ellsworth Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Tobias L. Roberts, Wm. M. Roberts and Geo. H. Grant, their associates, successors and assigns, are hereby created and constituted a body politic and corporate by the name of the Bar Harbor and Ellsworth Telegraph Company, with all the rights and privileges, and subject to all the duties provided by the general laws of this state relative to corporations ; with power by that name to sue and be sued, to have and use a company seal and to change the same at pleasure ; to establish any and all by-laws and regulations for the management of their business not repugnant to the laws of this state, and to do and perform any and all other lawful acts incident to similar corporations.

Corporators.

Corporate name.

Privileges and duties.

SECT. 2. Said corporation is hereby empowered and authorized to own, construct, maintain and operate from some point in the village of Bar Harbor in the town of Eden, a telegraph line or lines through the town of Trenton to some point in the city of Ellsworth, and also a telegraph line or lines from said Bar Harbor by way of and through the town of Mount Desert to said Ellsworth.

Empowered to construct lines from Eden to Ellsworth, etc.

SECT. 3. For the purposes of this act, the said corporation shall have and is hereby granted the power to erect and locate its lines along and upon any highway, street or private way, and upon any bridge in either of said towns, but in such manner as not to incommode or endanger the customary public use thereof, or to lay a cable under any waters in either of said routes, and the company may cut down any trees standing within the limits of any highway or private way, except fruit, ornamental or shade trees when necessary for the erection, use and safety of its lines.

Authorized to erect lines on highways, bridges, etc.

SECT. 4. Said corporation is hereby authorized and empowered to purchase or lease any telegraph line now on any portion of either of said routes, to connect its lines with the lines of any other telegraph company by contract with such company ; and to sell or lease its own lines at any time.

—to purchase or lease other lines.

SECT. 5. The capital stock of said corporation shall be of such an amount, not exceeding twenty-five thousand dollars, as said corporation may from time to time deem necessary for

Capital stock.

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Damages, how
estimated

all purposes contemplated by this act, and said corporation may purchase, hold, sell and convey all real and personal property necessary for said purposes.

SECT. 6. If the land of any individual or corporation is taken under this act and the parties cannot agree upon the damages occasioned thereby, they shall be estimated, secured and paid in the manner provided by the general laws of the state in the case of lands taken for railroads.

SECT. 7. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 209.

An Act to amend the charter of the Dirigo Telephone Company of Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Charter of Dirigo
Telephone Co.
amended.

Powers, privi-
leges and limita-
tions.

SECT. 1. The Dirigo Telephone Company of Maine, a corporation duly incorporated under the general laws of this state, in addition to the rights obtained thereby, is hereby authorized and empowered to carry on the business of providing practical telephonic communication by usual and proper methods, and in the prosecution thereof to locate, construct, maintain and operate acoustic, magnetic and electric telephone lines and appurtenances, and license the use of the same by others, and acquire such rights by lease or purchase from others throughout this state, submarine, under ground, upon, along and over any and all public highways, bridges and places, in such manner as not to endanger the appropriate public use thereof, railroads, canals and lands and buildings of any and all individuals, societies and corporations, with as many lines and branches, wires, posts, supports and appurtenances, and terminating at such points and places, as said corporation may deem necessary; and to remove trees and other obstacles, except that fruit or ornamental trees shall not be removed or defaced by trimming, for said purposes, and to connect by agreement with other telephone or telegraph lines.

Land damages,
how estimated
and paid.

SECT. 2. The damages for taking land under this act, when the parties cannot agree, shall be estimated, secured and paid as for land taken for railroads.

SECT. 3. This corporation is authorized to exercise its powers, carry on its business, and do all acts pertaining thereto, in any other state or country, upon acquiring therefor all sanction and authority necessary under the laws thereof.

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May do business in other states, under sanction of laws thereof.

SECT. 4. The capital stock of this corporation may be increased to any amount not exceeding one million dollars.

May increase its capital stock.

Approved February 14, 1883.

Chapter 210.

An Act to authorize Samuel L. Lord to rebuild and maintain the Shepherd's Wharf, in Union River, within the limits of the city of Ellsworth.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Samuel L. Lord, his heirs and assigns, are hereby authorized to rebuild and maintain the Shepherd's wharf, a wharf located on the western bank of Union river, within the limits of the city of Ellsworth, extending the same ten feet into the tide waters beyond its present bounds.

Samuel L. Lord authorized to rebuild wharf.

SECT. 2. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 211.

An Act to incorporate the Little Wilson Falls and Dam Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Samuel H. Blake and associates are hereby created a body politic and corporate by the name of the Little Wilson Falls and Dam Company, with all the powers and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. Said corporation is authorized to improve the falls upon the Little Wilson, in township nine, range nine, N. W. P., in county of Piscataquis, by blasting and damming and the construction of sluices and in such other ways as may be found practicable with a view of making it possi-

Authorized to improve navigation of Little Wilson.

CHAP. 211 ble to drive logs over said falls, of ordinary woods length, and said corporation may erect and maintain a dam or dams above and below said falls upon said Little Wilson, for said purpose and to improve the driving of said stream, and may clear out and remove obstructions to the passage of logs that may be found to exist in the way of the free passage of logs and lumber down said Little Wilson.

Liability for
damages.

SECT. 3. It is not anticipated that any land or materials will be taken or any land flowed that will not belong to the corporation, but if any land is flowed or taken, or material used by said corporation in the constructing or maintaining its proposed improvements, then, in such case, said corporation shall be liable for the full value of land or materials so taken, and for all trespasses and damage for flowage or otherways in the same manner as is by law provided in the laying out of highways; and the county commissioners of Piscataquis shall assess all such values and damages, and said corporation shall pay the same so assessed.

—assessment of.

Tolls.

SECT. 4. Said corporation may demand and receive a toll of fifty cents per thousand feet, board measure, woods scale, for all logs or lumber excepting logs fitted or suitable for clapboard cuts, that may be driven down and over said falls and dams connected therewith.

Lien for payment
of tolls.

SECT. 5. Said corporation shall have a lien on all logs and lumber, excepting logs fitted or suitable for clapboard cuts, that shall be driven over said falls and dams, and may enforce the same by sale at auction, giving twenty days' notice thereof to the owner or manager of the logs and lumber at any time after thirty days, after their arrival to Penobscot boom or other place of sale, or said lien may be enforced by libel in rem or other fit process of law when the thirty days after arrival shall be out, upon demand and refusal to pay the same.

Enforcement.

Approved February 14, 1883.

Chapter 212.

CHAP. 212

An Act for the incorporation of the Center Wharf Company of Islesborough.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Enoch H. Tibbetts and William Z. Clayton of Bangor, their associates, successors and assigns are hereby created a body corporate by the name of the Center Wharf Company of Islesborough, and shall have and enjoy all the rights, powers and privileges that belong to similar corporations incorporated under the laws of this state.

Corporators.

Corporate name.

Powers and privileges.

SECT. 2. The capital stock of said company shall be not less than one thousand dollars nor more than five thousand dollars, and shall be divided into shares of such an amount as may be determined by said company.

Capital stock.

SECT. 3. The said company may build and maintain a wharf or wharves on the point of land in the town of Islesborough now owned by the individuals named in the first section of this act and may extend the same into tide waters not exceeding fifty feet beyond low water mark.

Authorized to build wharves in Islesborough.

SECT. 4. Said company shall have the exclusive control of said wharf or wharves with full power to fix the rate of tolls and wharfage at which persons other than said company may make use of the same, and to collect said tolls and wharfage by suit at law if necessary.

Tolls.

SECT. 5. Either of the persons named in this act as a corporation, may call the first meeting of the corporation for the purpose of organization, by giving written notice thereof seven days at least before the time of said meeting to the other person named as corporator and such other persons as may have become associated with them.

First meeting, how called.

Approved February 14, 1883.

CHAP. 213**Chapter 213.**

An Act for the better preservation of black bass in Pennesseewassee and Hobbs ponds in Norway.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Taking of fish in certain waters in Oxford county, restricted.

SECT. 1. All persons are forbidden to fish for, take or kill any kind of fish in Pennesseewassee and Hobbs ponds in the town of Norway, county of Oxford, for the term of five years from the passage of this act, during the months of April, May and June in each year.

Penalty for violation of act.

SECT. 2. Any person violating the provisions of this act shall forfeit five dollars for each offense, and in addition thereto, one dollar for each fish so killed or taken, to be recovered on complaint before any trial justice in said county, one-half to the complainant and one-half to the town of Norway.

Approved February 14, 1883.

Chapter 214.

An Act to incorporate the Penobscot River Dam and Improvement Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Eben Webster, John Morrison, J. Fred Webster, Darius Eddy, William H. Strickland, Philo A. Strickland, William T. Pearson, William B. Hayford, Joseph L. Smith, Lysander Strickland, Eben S. Coe, John Cassidy, Charles G. Sterns, Nathan C. Ayer and Joab W. Palmer, their associates and assigns, are hereby created a corporation by the name of the Penobscot River Dam and Improvement Company, with all the powers and privileges of similar corporations.

Corporate name.

Powers and purposes.

SECT. 2. Said corporation may build dams, side dams, piers, booms, remove rocks, and make any other improvements to facilitate log-driving in that part of the main Penobscot river above Greenbush ; and said corporation may take land and material necessary to construct their said works and improvements, and said corporation shall pay the proprietors of the land and material so taken such sum for damages as said corporation and said proprietors may agree upon ; and if

said corporation and said proprietors cannot agree, the damages shall be ascertained and determined by the county commissioners for the county of Penobscot in the same mode and manner, and under the same conditions and limitations, as is now provided by law in case of damage by laying out of public highways.

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Damages, how
ascertained.

SECT. 3. The said corporation may demand and receive a toll on logs and lumber intended to be driven into the limits of the Penobscot boom, so called, and that may pass over any of the dams or other improvements made by said corporation, as follows: three cents for each thousand feet, board measure, on all logs and lumber that may come down said Penobscot river from above the outlet of the Mattawamkeag river; two cents for each thousand feet, board measure, on all logs and lumber that may come into the said Penobscot river out of said Mattawamkeag river and between said Mattawamkeag river and the outlet of the Piscataquis river; and one-half cent for each thousand feet, board measure, on all logs and lumber that may come out of said Piscataquis river and between said Piscataquis river and the foot of Passadumkeag falls, so called, into said Penobscot river; and said corporation shall have a lien on all such logs and lumber for the payment of said toll, but the logs of each particular mark shall only be holden for the toll of such mark, and if the toll of any particular mark of logs or lumber shall not be paid within twenty days after the logs or lumber of such mark, or a major part thereof, shall have arrived within the limits of said Penobscot boom, then the said corporation may sell at public auction so many feet, board measure, sale scale, of such logs and lumber, as may be necessary to pay such toll and incidental charges, the said corporation first giving more than ten days notice of the time and place of sale, in some newspaper published in the city of Bangor.

Tolls.

Lien for payment
of tolls.Lumber may be
sold.

SECT. 4. A separate account shall be kept by the said corporation of its expenditures above the outlet of the Mattawamkeag river, and one cent of the three cents toll shall be expended in constructing works and making improvements above said outlet and paying for them, and when paid for, with ten per cent per annum interest, the said three cents toll is hereby reduced to two cents toll.

Expenditures
above Mattawam-
keag, how paid.

CHAP. 215

Rate of tolls, how
established.

May discount for
prompt payment
of toll.

Cost of works
and improve-
ments, how paid.

Navigation of
Penobscot river
not to be im-
paired.

SECT. 5. The owner of any mark of logs or lumber may furnish to the said corporation, on or before the fifteenth day of June next succeeding the lumbering season, the said mark of logs was cut and hauled, the woods scale of such mark of logs, and in case said corporation deem said woods scale is correct, then the toll shall be according to said woods scale; otherwise the toll shall be according to the woods scale, or the boom scale, at the election of the corporation; or the corporation may estimate the quantity, and the toll shall be according to such estimate. The said corporation may, according to their discretion, make a discount for prompt payment of toll, but only in case the woods scale has been furnished to the corporation as aforesaid, by the time aforesaid, and to the satisfaction of the corporation as aforesaid.

SECT. 6. The said corporation may construct works and make improvements from time to time and from year to year, according to their discretion, and when the tolls shall have reimbursed the corporation for their expenditures, with ten per cent annual interest, the toll shall cease, and the said works and improvements be free for the use of the public. Nothing in this act shall be construed to authorize said corporation to impair said Penobscot river for the navigation of rafts, or impair the right of individuals or corporations to secure rafts or logs on the shores of said river, as said right has heretofore been used and enjoyed.

SECT. 7. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 215.

An Act to annex the town of Maysville to the town of Presque Isle.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Maysville annex-
ed to Presque
Isle.

SECT. 1. The town of Maysville, in Aroostook county, is hereby annexed to and made a part of the town of Presque Isle.

Liabilities to be
assumed by
Presque Isle.

SECT. 2. All the liabilities of the town of Maysville are hereby assumed by the town of Presque Isle.

Real and personal
estate to become
property of
Presque Isle.

SECT. 3. All the personal and real estate owned by the town of Maysville is hereby conveyed to and becomes the property of the town of Presque Isle.

SECT. 4. The collector of taxes of the town of Maysville is hereby authorized and empowered to collect and pay over to the treasurer of the town of Presque Isle all taxes he was directed to pay to the treasurer of the town of Maysville, now assessed and committed to him for collection, not already collected and paid to the treasurer of the town of Maysville.

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Uncollected taxes to be paid to treasurer of Presque Isle.

SECT. 5. All taxes which have been assessed for repairs of highways and committed to highway surveyors in the town of Maysville shall be expended and worked out on the highways under the direction of said surveyors, and return of any remaining unpaid shall be made to the assessors of the town of Presque Isle.

Highway taxes raised in Maysville, to be expended in said town.

SECT. 6. The treasurer of the town of Maysville shall pay over all moneys, and deliver all books, papers and documents pertaining to his office, to the treasurer of the town of Presque Isle.

Treasurer to deliver all moneys, etc., to treasurer of Presque Isle.

SECT. 7. The town clerk of the town of Maysville shall deliver to the town clerk of the town of Presque Isle all reports and books belonging to the town of Maysville, and all papers, records and documents pertaining to his office.

Clerk to deliver all books, etc., to clerk of Presque Isle.

SECT. 8. The selectmen, assessors and overseers of the poor of the town of Maysville, shall deliver all books, papers and documents pertaining to their several offices to the selectmen of the town of Presque Isle.

Selectmen to deliver all books, etc., to selectmen of Presque Isle.

SECT. 9. This act shall take effect in thirty days after it is approved by the governor.

Approved February 14, 1883.

Chapter 216.

An Act to define the width of a wharf authorized by chapter two hundred and forty-eight of the Special Laws of eighteen hundred and seventy-three, being an act to authorize James M. Johnson to extend a wharf into tide waters in the town of Harpswell.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The wharf authorized by chapter two hundred and forty-eight of the special laws eighteen hundred and seventy-three, may be maintained by the owner, of a width not exceeding one hundred and sixty-five feet.

Width of wharf, established.

Approved February 14, 1883.

Chapter 217.

An Act amendatory of and additional to chapter one hundred and fifty-nine of the Private and Special Laws of eighteen hundred and eighty-one, entitled "An Act to incorporate the Junction Railway Company of Portland," approved March eighteen, eighteen hundred and eighty-one.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Junction Railway Co. authorized to purchase the franchises, etc., of Portland Dry Dock.

SECT. 1. The Junction Railway Company of Portland is hereby authorized to acquire by purchase or otherwise, the franchises and all the property of the Portland dry dock and the land and flats adjoining thereto, and to exercise all the rights, franchises and privileges granted to said company by the provisions of chapter five hundred and forty of the private and special laws of eighteen hundred and sixty-eight, entitled "An Act to incorporate the Portland Dry Dock and Ware House Company," approved February nineteen, eighteen hundred and sixty-eight, and for the purpose of making said purchases and for construction and other purposes in accordance with the objects of its charter, the said Junction Railway Company of Portland is hereby authorized to issue stock and also its bonds for such an amount, and of such tenor, and upon such rates and time as the stockholders shall determine, and secure the said bonds by mortgages or deeds of trust, of all or any portion of its property, improvements, rights and franchises.

May issue stock and bonds.

SECT. 2. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 218.

An Act to extend the time for the completion of the Bangor and Piscataquis Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Time for completion of B. & P. R. R., extended.

SECT. 1. The Bangor and Piscataquis railroad company shall have a further time of three years from January twenty-seven, eighteen hundred and eighty-three within which to locate and complete its line of railroad to Moosehead lake.

SECT. 2. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 219.**CHAP. 219**

An Act to regulate the taking of fish in Monson, Ellitsville and Willimantic.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. No fish of any kind shall be taken, and no attempt shall be made to take any fish, from lake Hebron, otherwise known as Hebron pond; the twin Doughty ponds in the town of Monson; nor from lake Onaway, otherwise known as Ship pond, and Bear pond, in Ellitsville township; nor from Grindstone pond in Willimantic; all within the county of Piscataquis; nor from any of their tributaries, with hook and line, or in any way, except in that portion of each year commencing from the first day of May and ending the first day of October, under a penalty of not less than ten dollars nor more than thirty dollars for each attempt made, and a penalty of not less than one dollar nor more than five dollars for each fish so taken; to be recovered on complaint before any trial justice or municipal court of said county, or by an action of debt; and in all actions of debt commenced in the supreme judicial court, the plaintiff recovering, shall recover full costs, without regard to amount recovered. One-half of all penalties recovered as aforesaid shall go to the use of the complainant and one-half to the use of the Piscataquis game and fish protective society.

Taking of fish in certain waters, restricted.

Penalty for violation of act.

—how recovered.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Inconsistent acts repealed.

SECT. 3. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 220.

An Act to set off a portion of the town of Belgrade from the North Kennebec Agricultural Society and annex the same to the Kennebec Agricultural Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

That part of the town of Belgrade now embraced within the limits of the North Kennebec Agricultural Society is set off from said society and the same is annexed to the Kennebec Agricultural Society.

Part of Belgrade annexed to Kennebec Agricultural Society.

Approved February 14, 1883.

CHAP. 221**Chapter 221.**

An Act to make valid the doings of the Skowhegan Village Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of Skowhegan Village Corporation, made valid.

SECT. 1. The acts and doings of the Skowhegan Village Corporation at their annual meeting held in April in the year of our Lord one thousand eight hundred and eighty, as to the assessments made by the assessors of said corporation for that year are hereby made valid.

SECT. 2. This act shall take effect when approved.

Approved February 14, 1883.

Chapter 222.

An Act to amend section three of chapter two hundred and seventy-two, Special Laws of eighteen hundred and thirty-two, entitled "An Act to incorporate the Ocean Insurance Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 3, ch. 272, special laws 1832, amended.

Section three of chapter two hundred and seventy-two, special laws of eighteen hundred and thirty-two, is hereby amended by inserting in the fifth line, between the words "first" and "Monday," the words 'Wednesday after the first,' so that said section shall read, as amended, as follows :

Directors, election and qualification of.

'SECT. 3. Be it further enacted, that the property and affairs of said company shall be managed by seven directors, who shall hold their offices one year and until others are chosen in their room, and shall be stockholders and citizens of this state, and be elected on the first Wednesday after the first Monday of January in each year, on such notice of the place and hour as shall be given according to the by-laws of the company ; which election shall be had and held by the stockholders by a major vote, by ballot, one vote being allowed to each share, and absent stockholders may vote by proxy, authorized in writing, under such restrictions as the by-laws may prescribe. Said election shall be had under the inspection of three stockholders not being directors, but no stockholder to be entitled to more than ten votes.'

Absent stockholders may vote by proxy.

Approved February 14, 1883.

Chapter 223.

CHAP. 223

An Act to ratify the contract between the Eastern, and Portland, Saco and Portsmouth Railroad Companies, dated May four, eighteen hundred and seventy-one, and all contracts additional and supplemental thereto.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The contract between the Eastern Railroad Company, a corporation chartered by the legislature of Massachusetts, and the Portland, Saco and Portsmouth Railroad Company, a corporation chartered by the legislature of Maine, dated May four, eighteen hundred and seventy-one, and all contracts additional and supplemental thereto, are hereby ratified and confirmed.

Contract between
certain railroads,
ratified and
confirmed.

Approved February 15, 1883.

Chapter 224.

An Act to incorporate the Mechanic Falls, Poland and Gray Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Hiram Ricker, E. P. Ricker, Josiah A. Bucknam, Dura Bradford, Otis Hayford, John S. Briggs, Israel Washburn, Junior, Alfred Cole, R. C. Bradford, H. J. Deshon, Warren H. Vinton, Henry Pennell, Thomas Hancock, Alvin B. Ricker, Hiram W. Ricker, Mellen Goff, Frank Stanley, O. H. Hersey, B. Spaulding, John P. Swasey, George D. Bisbee, James Irish, Nahum Moor, S. C. Andrews, J. H. Decoster, Henry O. Stanley, their associates, successors and assigns, are hereby made a body politic and corporate by the name of the Mechanic Falls, Poland and Gray Railroad Company, and by that name may sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and in equity to secure and protect them in the exercise and use of the rights and privileges, and the performance of the duties hereinafter granted and enjoined, and the said corporation is hereby authorized and empowered to locate, construct and finally complete, alter and keep in repair a railroad with one or more sets of rails or tracks, with all suitable bridges, tunnels, viaducts, turnouts, culverts, drains and all other necessary appendages, from some point on the line of

Corporators.

Corporate name

Powers and
privileges.

CHAP. 224

Location and
route.May take or
purchase land.

Proviso.

Damages, how
determined.Powers and
liabilities.

the railroad leading from Mechanic Falls to Canton, thence through the towns of Minot, Poland, New Gloucester and Gray by the neighborhoods of Poland Corner and Poland Mineral Springs to a point on the Maine Central Railroad in the towns of Gray, North Yarmouth or Cumberland. And said corporation shall be and hereby is invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this act as herein set forth, and for this purpose said corporation shall have the right to take and hold or to purchase so much of the land and other real estate of private persons and corporations, as may be necessary for the location, construction and convenient operation of said railroad, and shall also have the right to take, remove and use for the construction and repair of said road and appurtenances, any earth, gravel, stone, timber or other materials or property on or from the land so taken: *provided, however*, the land so taken shall not exceed five rods in width, except where greater width is necessary for the purpose of excavation or embankment; *and provided also*, in all cases said corporation shall pay for such lands, estate, materials or property such price as they and the respective owner or owners thereof may mutually agree upon, and in case said parties shall not otherwise agree, the said corporation shall pay such damages as shall be ascertained and determined by the county commissioners for the county where such land or other property may be situated, in the same manner and under the same conditions as are by law provided in the case of laying out highways, and the land so taken by said corporation shall be held as lands taken and appropriated for highways; and no application to said commissioners to estimate said damages shall be sustained unless made within three years from the time of taking such lands and other property; and in case said railroad shall pass through any woodlands or forests, the said company shall have the right to remove or fell any of the trees standing thereon within four rods from such road, which by their liability to be blown down, or from their natural falling might obstruct or impair said railroad, by paying a just compensation therefor, to be recovered in the same manner as is provided for the recovery of the other damages mentioned in this act. And furthermore, said corporation shall have all the powers, privileges

and immunities, and be subject to all the duties and liabilities provided respecting railroads in chapter fifty-one of the revised statutes, not inconsistent with the express provisions of this charter.

SECT. 2. The capital stock of said corporation shall consist of not less than one thousand shares nor more than four thousand shares, of one hundred dollars each, and the immediate government and direction of the affairs of said corporation shall be vested in five, seven or nine directors, or in such number of directors as said railroad company may fix, according to the provisions of chapter one hundred and seventy-seven of the laws of eighteen hundred and seventy-one, entitled "An Act to authorize railroad companies to fix the number of directors," who shall be chosen by the members of said corporation in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places, a majority of whom shall be a quorum for the transaction of business, and they shall elect one of their number to be president of the board, and he shall be also president of the corporation; and said directors shall have authority to choose a clerk and a treasurer, who shall give bonds to the corporation in the sum of ten thousand dollars, at least, with sureties to the satisfaction of the directors for the faithful discharge of his trust; and any ten of the persons named in the first section hereof are hereby authorized to accept this act and organize said corporation at a meeting holden for the purpose, of which notice shall be given by publication seven days previously in the Lewiston Journal, or any newspaper published in the city of Portland.

Capital stock.

Directors, number and how chosen.

—quorum.

Directors authorized to choose clerk and treasurer.

Acceptance of act and first meeting.

SECT. 3. The president and directors for the time being, are hereby authorized and empowered, by themselves or their agents, to exercise all the powers herein granted to the corporation for the purpose of locating, constructing and completing said railroad, and for the transportation of persons, goods and property of all descriptions, and all such power and authority for the management of the affairs of the corporation as may be necessary and proper to carry into effect the objects of this grant; to purchase and hold land, materials, engines and cars, and other necessary things, in the name of the corporation, for the use of the said road and for the transportation of persons, goods and property of all

President and directors authorized to exercise powers granted by this act.

CHAP. 224**May make assessments.****—how collected.****Proviso.****Tolls established.****By-laws.****Annual meeting.**

descriptions, to make such equal assessments from time to time on all the shares in said corporation as they may deem necessary and expedient in the execution and progress of the work, and direct the same to be paid to the treasurer of the corporation. And the treasurer shall give notice of all such assessments, and in case any subscriber or stockholder shall neglect to pay any assessment on his share or shares for the space of thirty days after such notice is given, as shall be prescribed by the by-laws of said corporation, the directors may order the treasurer to sell such share or shares at public auction, after giving such notice as may be prescribed as aforesaid, to the highest bidder, and the same shall be transferred to the purchaser, and such delinquent subscriber or stockholder shall be held accountable to the corporation for the balance, if his share or shares shall sell for less than the assessment due thereon, with the interest and cost of sale; *provided, however*, that no assessment shall be laid upon any share in said corporation of a greater amount than one hundred dollars in the whole.

SECT. 4. A toll is hereby granted and established for the sole benefit of said corporation upon all passengers and property of all descriptions which may be conveyed or transported by them upon said road, at such rate as may be agreed upon and established from time to time by the directors of said corporation. The transportation of persons and property, the construction of wheels, the form of cars and carriages, the weight of loads, and all other matters and things in relation to said road shall be in conformity with such rules, regulations and provisions as the directors shall from time to time prescribe and direct, and such laws as may be hereafter enacted.

SECT. 5. Said corporation shall have power to make, ordain and establish all necessary by-laws and regulations consistent with the constitution and laws of this state for their own government, and for the due and orderly conducting of their affairs and the management of their property.

SECT. 6. The annual meeting of the members of said corporation shall be holden on the first Tuesday of December, or such other day as shall be determined by the by-laws, at such time and place as the directors for the time being shall appoint; at which meeting the directors shall be chosen by

ballot, each proprietor by himself, or proxy, being entitled to as many votes as he holds shares, and the directors are hereby authorized to call special meetings of the stockholders whenever they shall deem it expedient and proper, by giving such notice as the corporation by their by-laws shall direct.

SECT. 7. The corporation is hereby invested with power to make connections with any other railroad or railroads and on such terms as the members may deem expedient and proper; and it is hereby authorized to sell or lease the road either before or after it shall have been completed, on such terms and conditions as the stockholders, at a meeting regularly called for that purpose, shall determine.

Authorized to connect with, and lease or sell to, other railroads.

SECT. 8. For the purpose of raising means and funds to accomplish the objects and purposes of this act, said corporation is hereby authorized to make and issue its bonds in such form and manner and payable at such time as the directors may, under the circumstances, deem advisable; and it may secure the principal and interest of said bonds by a mortgage of its railroad and all its lands, property, rights, privileges and franchises then possessed, held or owned or thereafter acquired by said corporation, made to such persons or trustees and in such form and manner as the directors may approve and prescribe.

Authorized to issue bonds.

May mortgage road, etc.

SECT. 9. The corporation shall be authorized to issue non-preferred and preferred stock upon such terms and conditions and to such persons and corporations, and with such limitations and restrictions as may be deemed most for the interest of the subscribers, the success of the corporation and the completion and equipment of the road.

Authorized to issue stock.

SECT. 10. Said corporation shall have five years in which to complete and file the location of said railroad, and eight years to construct the same.

Time for location and construction limited.

SECT. 11. All the powers, privileges and immunities herein and hereby granted shall be subject to all existing laws of the state, and such as may be hereafter enacted.

All powers, etc., subject to general laws.

SECT. 12. This act shall take effect when approved.

Approved February 16, 1883.

An Act to authorize Francis C. Hewey to dredge bars and navigate Rangeley Lake by steam.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Francis C. Hewey et als. authorized to navigate Rangeley lake.

SECT. 1. Francis C. Hewey, his associates and assigns, are hereby authorized to dredge bars and clear any channel, except the outlet, in Rangely Lake, in the county of Franklin, and are hereby vested with the exclusive right, against all persons, of employing and navigating every kind of boat or water craft propelled by steam, as common carriers, on said Rangeley lake for the term of five years from the twenty-third day of February, in the year of our Lord, eighteen hundred and eighty-four.

Failure to furnish accommodation for travel, terminates exclusive right.

SECT. 2. It shall be the duty of said Hewey, his associates and assigns, to furnish adequate, reasonable accommodation for the ordinary travel over said lake ; and failing so to do, after reasonable notice, the exclusive right aforesaid shall terminate.

Penalty for infringement of right.

SECT. 3. Any person or persons who shall use or employ on said lake any boat or water craft propelled by steam, as common carriers, without being authorized by said corporator, his associates or assigns, shall forfeit for each offense not less than fifty dollars and not exceeding two hundred dollars, to be recovered by and for the use of said corporator, his associates and assigns, in an action of debt ; and the said corporator, his associates and assigns, shall have a lien on any boat or water craft that any person may use on said lake propelled by steam in violation of the provisions of this act, to secure him or them for any sum that may be recovered for such violation and costs of suit, which shall take precedence of all other claims and shall continue for thirty days after any such violation, and may be enforced by attachment in any such suit brought within the time aforesaid.

How recovered

Fare established.

SECT. 4. A fare not exceeding one dollar is hereby authorized for the transportation of a person across said lake on any regular trip.

Not to interfere with booms, etc.

SECT. 5. Nothing in this act contained shall be construed to authorize any interference with the erection and maintenance of any booms that may be requisite for the preservation of logs and lumber, or to authorize any right to interfere

with the driving or rafting of logs across said lake or streams adjacent thereto. CHAP. 226

SECT. 6. Nothing in this act shall be construed as repealing or abridging chapter three hundred and eleven of the private and special laws of the year eighteen hundred and seventy-six, as amended by chapter two hundred and forty-one of the private and special laws of the year eighteen hundred and eighty.

Certain acts not repealed or abridged.

SECT. 7. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 226.

An Act to authorize Amasa Howe to erect piers and booms in the Aroostook river, at Fort Fairfield, in Aroostook county.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Amasa Howe, his associates, successors and assigns, are hereby authorized and empowered to locate, build, and maintain in the Aroostook river, at Fort Fairfield, in Aroostook county, between the northerly shore of said river, near the Pratt mill and the Burchill island, piers and booms for the purpose of sorting and holding all logs and lumber driven down said Aroostook river, which are destined for use and manufacture in said mill. But said works shall be so constructed as not to impede navigation or to unreasonably obstruct the common use of said river.

Amasa Howe et als. authorized to build and maintain booms in Aroostook river.

SECT. 2. The parties named in the first section of this act, their associates, successors and assigns, for the erection and maintenance of said piers and booms, and for connecting the same with the shores, may, with their agents, servants and teams, pass and repass over said shores, and to and from the same, but not otherwise.

Navigation not to be obstructed.

Right to pass over shores, granted.

Approved February 17, 1883.

Chapter 227.

An Act to grant special powers to district number fourteen, in the town of China.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Dist. No. 14 in
China authorized
to choose school
directors.

Powers and
duties.

Report.

Vacancies, how
filled.

District meetings,
how called.

SECT. 1. District number fourteen, as now established in the town of China, may, at a legal district meeting, elect by ballot, in the month of March or April annually, one director, who with two directors to be appointed by the trustees of the Erskine high school fund, one at least of the two so appointed, to be an inhabitant of said district, shall constitute a board of directors to remain in office until others are chosen or appointed in their stead, who shall be sworn to the faithful performance of the duties of their office; and said directors shall have all the rights and powers, and perform all the duties, not inconsistent with the provisions of this act, now or hereafter enjoined and prescribed by law to be performed by school agents and the superintending school committee of the town, in said district. And said directors shall have power, and it shall be their duty, within thirty days after their election, to determine the number of grades of schools, and the number of schools of each grade, which shall be kept in the district; classify the scholars according to their attainments, and direct at which of the schools they shall be allowed to attend respectively, lay out and expend the school money raised by the town and assigned to said district as its proportion in the support of schools thus established, together with all other money received by said district from any donation or trust fund, tuition, or from the state. And said directors shall make report of their doings, and of the state and progress of the schools, at the annual meeting of the district held next after their appointment.

SECT. 2. Vacancies in the board of directors may be filled for the remainder of the term of office by said trustees, if the place vacant was originally filled by their appointment; or by election by the district at a special meeting called for that purpose, if the place was originally filled by election.

SECT. 3. District meetings shall be called by the district clerk by warrant, in the form and manner now provided by law for district agents, and in case of a vacancy in the office of clerk, the director elected by the district may in like manner call such meetings.

SECT. 4. This act shall not be binding upon said district until accepted by a majority vote in legal district meeting called for that purpose.

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Act not binding,
unless accepted
in legal meeting

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, so far as they relate to said district number fourteen in the town of China.

Inconsistent acts
repealed.

SECT. 6. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 228.

An Act concerning Samuel Byron Chadbourn, a deaf mute.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The governor with the approval of the council is hereby authorized to send Samuel Byron Chadbourn, a deaf mute, to the American asylum at Hartford, or to the Portland school for the deaf at Portland, or to such other school or place of instruction as they may consider suitable, to receive instruction at the expense of the state.

Samuel Byron
Chadbourn to
receive instruc-
tion at expense of
the state.

SECT. 2. The governor is hereby authorized to draw his warrant for such sums as shall be found necessary for the instruction and support of said Samuel Byron Chadbourn while at school and for traveling expenses.

—expense pro-
vided for.

SECT. 3. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 229.

An Act to incorporate the Passadumkeag Log Driving Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. John Morrison, George P. Gilman, Joseph W. Porter, Lester Dwinel, Henry M. Prentiss, Charles Woodman, Silas E. Woodman, Gardner B. Page, Isaiah Morris, Jonathan Darling, Albert C. Page and George M. Page, are hereby created a corporation by the name of the Passadum-keag Log Driving Company.

Corporators.

Corporate name.

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Company to drive logs at expense of owners.

SECT. 2. The said Passadumkeag Log Driving Company may, in the log driving season, and at the cost and expense of the owners thereof, drive all logs and timber to the Passadumkeag boom, intended to be driven then, that may seasonably be in the Passadumkeag river, between Grand Falls and the dam at the foot of Nickataous lake.

Payment to be made when logs reach boom.

SECT. 3. It shall be the duty of the owner of each mark of logs and timber driven by said Passadumkeag Log Driving Company to pay, as soon as the logs and timber arrive at the Passadumkeag boom, to the said Passadumkeag Log Driving Company, the cost and expense of driving the same, and the said Passadumkeag Log Driving Company shall have a lien, which shall have precedence over all other liens, upon all logs and timber for the cost and expense of driving the same, but the logs and timber of each particular mark shall only be holden to pay the cost and expense of driving such mark.

Lien for expense.

Assessments, how made and collected.

The assessment by the said company of the cost and expense of driving each mark of logs and timber shall be made to such mark, and if the cost and expense of driving is not paid said company within twenty days after the assessment is made, and within twenty days after the logs and timber have arrived at the said boom, the said company may sell, at public auction, in Bangor, so many of said logs and timber as may be necessary to pay the cost and expense of driving such logs and timber, with incidental charges, after giving ten days' public notice of the time and place of sale, in a newspaper printed in Bangor. The assessment of the cost and expense of driving all logs and timber shall be according to the scale usually denominated woods scale, except as hereinafter provided.

Owners to file scale and marks with clerk.

SECT. 4. Every owner of logs and timber which is intended to be driven to said Passadumkeag boom by said log driving company, shall, on or before the first day of the succeeding month of May after such logs and timber may have been cut and hauled, file with the clerk of said Passadumkeag Log Driving Company, in writing, the woods scale of such logs and timber, and if any such owner shall neglect to file such woods scale as aforesaid, together with the mark or marks of such logs and timber, the directors of said company may, upon such knowledge and information as they may deem proper, estimate and determine the quantity of such

logs and timber, and assess the cost of driving the same accordingly. If, in the opinion of the directors of said company, the woods scale of any particular mark or marks of logs and timber is not a true and correct scale, the directors of said company may assess such mark or marks of logs and timber for the cost and expense of driving the same, according to the scale usually denominated the boom scale, and such assessment, according to the boom scale, may be made, notwithstanding the assessment in the first instance was made according to the woods scale.

Directors may
assess marks
by boom scale.

SECT. 5. Any person owning timber land, or any person engaged in lumbering above said Grand Falls, may, on application to said company, be admitted a member thereof, to vote at any meeting of the said company for the choice of directors and all other officers of the company, and any owner of timber land above said Grand Falls, or any lumberman above said falls, ceasing to be such owner or lumberman, shall cease to be a member of said company. Every member of said company owning timber land above said falls shall be entitled to one vote, and each lumberman, a member of said company shall be entitled to one vote for every two-horse team or its equivalent, engaged or employed by him in hauling logs and timber above said falls.

Qualification for
membership.

Basis of repre-
sentation.

SECT. 6. The said Passadumkeag Log Driving Company may, at their option, furnish to any owner, at his request, men, material and supplies to aid such owner to drive his logs and timber from the landing, so called, to the limits of said Passadumkeag Log Driving Company, and the said Passadumkeag Log Driving Company shall have a lien as aforesaid upon all such logs and timber for such supplies, material and men, and if the same is not paid within twenty days after such logs and timber arrive at said boom, the said Passadumkeag Log Driving Company may sell so many of said logs and timber as may be necessary to pay for said men, material and supplies, first giving ten days' notice of the time and place of sale in some newspaper printed in Bangor.

Company may
furnish men and
supplies to own-
ers of logs and
have lien on logs.

Enforcement.

SECT. 7. This act shall take effect when approved.

Chapter 230.

An Act to incorporate the Maine Electric Light and Power Company.

Whereas, the object of the corporation to be created by this act cannot be otherwise attained, therefore :—

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. D. W. Clark, A. A. Strout, George S. Hunt, Theodore C. Woodbury, William G. Davis, H. T. Plummer, Nathan Cleaves, H. N. Jose, H. M. Payson, F. J. Rollins, George P. Wescott, David Moulton, John Sparrow, S. E. Spring, George F. Holmes, C. P. Mattocks, W. F. Milliken, J. P. Gilman, R. S. Maxcy, J. E. Blabon, John E. DeWitt, J. W. Deering, T. C. Hersey, C. B. Gardner, H. J. Libby, W. E. Gould, J. S. Winslow, C. F. Libby, J. P. Baxter and E. P. Payson, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Maine Electric Light and Power Company, and by that name shall have and enjoy all rights, powers and privileges necessary to effect the objects of their association, and shall be entitled to all the rights and subject to all the duties and liabilities now or hereafter provided by the laws of this state as to corporations, so far as applicable, and subject to the provisions of this act.

Corporate name.

Powers and liabilities.

Capital stock.

SECT. 2. The capital stock of said company shall be not less than five hundred thousand dollars, nor more than one million dollars, and shall be divided into shares of one hundred dollars each.

Purposes and privileges.

SECT. 3. Said company is authorized and empowered for the purpose of carrying on the business of lighting, by electricity, cities, towns, villages, public streets, parks, buildings and places, private houses, manufactories, places and buildings, places of business, worship and amusement, within this state; and the business of furnishing motive power, by electricity, within said places and limits; and the business of manufacturing and providing machinery, apparatus and appurtenances for the supply of said light and said power, to acquire, hold and alienate real and personal estate to the amount of one million dollars; to build and operate manufactories and works for the providing and supply of electricity; to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity, submarine,

under ground, upon, under and along and over any and all streets, ways and public places in such manner as not to endanger the appropriate public use thereof, railroads, bridges, canals and lands and buildings of any individuals, society or corporation, with all necessary posts, pipes, supports and appurtenances, and terminating at such points as may be expedient; and to confer this power upon licensees of said company who shall be deemed agents of said company for said purposes, but said company shall not be liable for the torts or negligence of such licensees, nor upon contracts made by them except as mutually agreed by said company and its licensees.

May confer power upon licensees.

SECT. 4. For the erecting said wires above ground, and for the laying the same, or pipes therefor submarine or under ground, and for taking up, replacing and repairing the same, said company or its licensees in any city or town shall first obtain the consent of the municipal officers thereof, and perform said acts as directed by them; and said company or its licensees in any city or town shall repay to any city or town any sum of money which such city or town may have been compelled to pay on any judgment for any damage occasioned by the aforesaid doings of said company or its licensees through defect or want of repair in the streets thereof.

For authority to erect wires, etc., consent of municipal officers necessary.

Company to pay damage done to streets.

SECT. 5. Said company or its licensees in any city or town shall, at their own expense, without unnecessary delay, remove any obstructions in any street, made for erecting or laying the lines for such purposes, and cause earth or pavements disturbed to be properly replaced. They shall not be allowed to obstruct or impair the use of any public or private drain, pipe or sewer, but may cross, or, when necessary, change the direction of any private pipe, drain or sewer in such manner as not to obstruct or impair the use thereof, being responsible to the owner or other person for any injury occasioned thereby, in an action on the case.

—shall not obstruct public travel, or impair public or private drains.

SECT. 6. Damages for any land taken for the purposes of erecting or laying said lines, if the parties cannot agree, shall be estimated, secured and paid as in the case of lands taken for railroads.

Land damages, how estimated and paid.

SECT. 7. The first meeting of said company may be called by either corporator giving five days' written notice, by mail, to his associates, stating the time and place thereof, or by

First meeting, how called.

CHAP. 231 publication of such notice at least three times in a Portland daily newspaper, five days before the time of said meeting.

Approved February 17, 1883.

Chapter 231.

An Act to amend chapter one hundred and fifty-two of the Special Laws of eighteen hundred and eighty-one, entitled "An Act to provide schools for the training of teachers in Madawaska territory."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 2, ch. 159,
special laws 1881,
amended.

SECT. 1. Section two, chapter one hundred and fifty-two of the special laws of eighteen hundred and eighty-one is hereby amended to read as follows :

Expenses of
schools, how
provided for.

'SECT. 2. To defray the expenses of said schools, the sum of thirteen hundred dollars is hereby appropriated in the manner hereinafter provided. The treasurer of the state shall annually deduct from any of the school moneys raised by the state for the support of common schools, the sum of six hundred dollars ; and from the gross amount of the state school funds, of all descriptions, annually apportioned to the towns of Grand Isle, Frenchville, Madawaska, Fort Kent and Van Buren, and to the plantations of Hamlin, Connor, Cyr, Saint Francis, Saint John, Wallagrass and Eagle Lake, the sum of seven hundred dollars ; which sums shall remain in the treasury subject to the order of the governor and council, for the payment of the expenses of said schools, the bills for which shall be approved by the state superintendent of common schools and audited by the governor and council.'

SECT. 2. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 232.**CHAP. 232**

An Act to incorporate the Kennebec Steam Ferry Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Joseph G. Densmore, Joseph W. Spaulding, William T. Hall, A. C. Spaulding, T. J. Southard, A. K. P. Walker, William H. Whitney, George B. Randlette, Charles W. Bickford, Samuel R. Goodwin, Thomas R. Carlton, Louis H. Bickford, Orrin McFadden, Joseph W. Sheldon, Charles E. Allen, their associates, successors and assigns, be and hereby are created a body politic and corporate, by the name of the Kennebec Steam Ferry Company, with power by that name to sue and be sued, to have and use a common seal, and the same at pleasure to change, to ordain and establish suitable by-laws and regulations for the proper management of their concerns, not repugnant to the laws of the state, and to exercise and enjoy all the powers and privileges incident to similar corporations. The capital stock of said company shall consist of not more than two hundred shares at fifty dollars per share, or ten thousand dollars.

Corporators.

Corporate name.

Powers and privileges.

Capital stock.

SECT. 2. Said corporation is hereby authorized to establish, set up and maintain a ferry across the Kennebec river, between the towns of Richmond and Dresden, Dresden and Perkins, and Richmond and Perkins, with boat or boats to be propelled by steam power; and such other boats as may be found necessary for the accommodation of the public, in the night time, or when the river is obstructed by ice. The season for running said ferry shall be from the opening of the river in the spring to the closing of the same by ice.

Corporation to establish and maintain steam ferry.

Season for running ferry.

SECT. 3. A toll is hereby granted and established for the use of said corporation, according to the following rates, to wit: for each foot passenger, five cents; for each buggy, wagon, chaise, carryall, or other vehicle carrying less than one thousand pounds, with one horse and driver, fifteen cents; each additional horse or person, five cents; each cart, wagon, or other vehicle carrying one thousand pounds or over, with driver, twenty cents; each additional horse with load, ten cents; each wagon, cart, or other vehicle, with one yoke of oxen and driver, twenty-five cents; each neat animal, six cents; each horse without a load eight cents; each sheep or swine, two cents; each horse and rider, thirteen cents; such

Tolls.

CHAP. 232

rates may be modified from time to time by vote of the company, provided that the rates established by this section shall be regarded as the maximum.

Shall at all times
keep boats.

SECT. 4. Said corporation shall at all times keep at the ferry established by this act, a boat or boats in good repair, suitable and convenient for the accommodation of travelers, their horses, carriages, carts, teams and cattle, and cause ready and due attendance on passengers to be given on all occasions. The hours for running the ferry shall be from six o'clock in the morning until ten o'clock in the evening, after which hours double the above rates may be charged, provided that the company may determine the hours for crossing by steam, and by row boats, respectively. Some boat suitable for the passage of passengers and teams, shall be run on Sundays at convenient hours.

Hours for run-
ning ferry.

Boat shall run on
Sundays.

May build piers,
wharves, etc.

SECT. 5. Said corporation may build, erect, and maintain any piers, wharves, buildings, or other conveniences necessary or useful for said ferry on the shores and landing-places in said towns of Richmond, Dresden and Perkins, at the landings now established by the county commissioners of Lincoln and Sagadahoc counties, or at any other places deemed suitable for such landing, and agreed upon by the corporation aforesaid, *provided* that any landings so fixed upon shall be subject to the approval of the aforesaid county commissioners of Lincoln and Sagadahoc counties, *provided, also*, that the said corporation shall pay to the owners of the land or privileges so occupied, such damages as the said county commissioners shall assess; either party having the right to appeal as in cases of land taken for highways.

Land damages,
how assessed.

Authorized to
purchase, Parks's
ferry.

SECT. 6. That said corporation is hereby authorized and empowered to purchase of the proprietors of Parks's Ferry, so called, upon written request of said proprietors, all the property, rights and privileges pertaining to said proprietors, at such sum as may be agreed upon by this corporation and said proprietors; and said corporation shall have all the rights, powers and privileges heretofore enjoyed by said proprietors, by the laws of this state; and in case of disagreement as to the price to be paid for said property, rights and privileges, then said price shall be determined by appraisal by the county commissioners of Lincoln and Sagadahoc counties, either party having the right to appeal as provided

Price to be deter-
mined by county
commissioners of
Lincoln and
Sagadahoc, in
case of disagree-
ment.

in section five of this act. All expenses attending such appraisal shall be paid equally by the parties. CHAP. 233

SECT. 7. The towns of Richmond, Dresden and Perkins are hereby jointly or severally authorized to take stock in, furnish aid for, or purchase said ferry and operate the same, with all the powers and privileges conferred on said corporation by this act; and to raise money therefor, by loan, taxation or otherwise.

Certain towns authorized to take stock, etc.

May raise money therefor.

SECT. 8. Any three of the persons named in the first section of this act are hereby authorized to call the first meeting of the proprietors, by giving notice thereof in the Richmond Bee, seven days before the time of said meeting.

First meeting, how called.

SECT. 9. If the said corporation shall not have been organized, and the said ferry established, according to the provisions of this act, within two years from the time when this act shall be approved, then this act shall be void.

Act void if ferry is not established within two years.

SECT. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Inconsistent acts repealed.

SECT. 11. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 233.

An Act to prohibit the taking of fish from Messabesic Pond, and its outlet, in the town of Alfred.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. All persons are forbidden to take fish of any kind, through the ice, from Messabesic pond, sometimes called Shaker pond, and its outlet as far down stream as the mill-dam of Littlefield Brothers, in the town of Alfred, county of York.

Taking of fish from Messabesic pond, through the ice, forbidden.

SECT. 2. All persons are forbidden to take fish of any kind from said pond and outlet, in any other way than by hook and line.

Taking other than by hook, forbidden.

SECT. 3. Any person who shall violate the provisions of this act shall pay the sum of five dollars for each fish taken, to be recovered on complaint before any trial justice in said

Penalty for violation of this act.

CHAP. 234 county of York, one-half to the use of the complainant, and the other half to the use of said county.

SECT. 4. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 234.

An Act authorising a lease or transfer of the franchise and property of the Old Orchard Junction Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Old Orchard Junction R. R. authorised to lease or sell its road, etc.

The Old Orchard Junction Railroad is hereby authorized by vote of its stockholders, at a legal meeting, to lease or sell and transfer to any other railroad corporation, its said railroad and all rights, privileges and franchise, and all property, real, personal and mixed, acquired under its organization as a railroad corporation ; and such railroad corporation is hereby authorized to take by lease or purchase the rights, franchises and property of said Old Orchard Junction Railroad, and may enter into any contract for operating the line of said railroad corporation.

Approved February 17, 1883.

Chapter 235.

An Act to prevent the throwing refuse matter into the stream known as Heward's Stream between Howard's Pond and the Androscooggin River in the County of Oxford.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Throwing of shavings, etc., into Mill Brook, unlawful.

SECT. 1. It shall be unlawful for any owner or owners of mills on the stream known as Mill Brook, in the town of Hanover, in the county of Oxford, running from Howard's pond in said town of Hanover, to the Androscooggin river, or on any canal or branch of said stream, or for any person or persons employed in or about said mills or otherwise, to cast shavings, saw-dust, trimmings or waste from dowel-stock, tan-bark, buckwheat hulls, or trimmings from manufactured lumber, into the waters of said stream, canal, or branch

thereof, in said town of Hanover, or to so place, cast or throw the same upon the banks of said stream, canal or branch thereof, or elsewhere that they shall be liable to fall or be washed into said stream, canal or branch.

SECT. 2. If any of the persons designated in section one of this act shall violate the provisions of said section, he or they shall be subject to a fine or penalty of not more than twenty nor less than five dollars, upon complaint and conviction before any court of competent jurisdiction.

Penalty for violation of this act.

SECT. 3. Any person who may suffer damage to his lands, mill-pond, mill-privilege, mills, machinery or business, by reason of the violation of the provisions of section one of this act, may recover for said damages, by an action on the case, of the person or persons so violating said section and causing said damage.

How persons damaged, may recover.

SECT. 4. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 236.

An act to authorize the Knox and Lincoln Railroad Company to change and extend its location.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The Knox and Lincoln Railroad Company is hereby authorized to change the line of its location in the town of Thomaston, and to construct and maintain a road from some point in its present authorized line to another point in the same line, so as to cross Green street and Elliot street on grade, and thus avoid the use of the pile bridge in said town ; and to make, construct and maintain such other alterations and improvements in the line of said road as may be deemed necessary or proper ; but not to such extent or in such manner as to create an injury or inconvenience to any city or town which has furnished aid to said company : and also to extend the line of the location of said road, in the city of Rockland, from the passenger station of said company, in an easterly direction, to low water mark in the harbor of Rockland, and to discontinue such part or parts of the old line as

K and L. R. R. Co. authorized to change its location in Thomaston.

—to extend line in city of Rockland.

CHAP. 237

Rights, etc., not
impaired by
change.

shall be superseded or rendered unnecessary by the changes of location hereby authorized; and said company shall have the same rights, privileges, powers and immunities, and be subject to the same duties and liabilities in respect to the location, construction, maintenance, use and management of the portion of the road hereby authorized, as are granted and imposed by the original act incorporating said company, and acts amendatory thereof and additional thereto.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 237.

An Act to amend "An Act to incorporate the city of Auburn," relating to election of assessors of taxes and overseers of the poor.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Assessors of taxes
and overseers of
poor, number of.

SECT. 1. The board of assessors of taxes and the board of overseers of the poor for the city of Auburn shall each consist of three members, to be elected as hereinafter provided.

Election and
tenure of.

SECT. 2. The city council, in joint convention, shall, on the third Monday in March next, after the passage of this act, or as soon thereafter as may be convenient, elect by ballot three assessors of taxes and three overseers of the poor: the first person elected to each board shall be elected for three years, the second for two years, and the third for one year, and shall annually thereafter, on the third Monday in March, or as soon thereafter as may be convenient, in joint convention, elect by ballot one member to each board for three years, and whenever, from any cause, a vacancy in either of said boards shall happen, the city council, in joint convention, shall, by ballot, fill such vacancy for the remainder of the term, and may, by concurrent vote of two-thirds of the city council, remove any of said officers, when, in their opinion, sufficient cause for their removal exists. All of said officers shall hold their offices during the term for which they are elected, and until others shall be elected and qualified in their places, unless sooner removed by the city council.

Vacancies, how
filled.

SECT. 3. Said officers shall exercise the same powers, and be subject to the same duties and liabilities that similar officers of the several towns in the state may exercise, and are subject to, under the laws of the state.

CHAP. 238

Powers and liabilities.

SECT. 4. The board of assessors may annually appoint, if they deem it advisable, one person in each ward for assistant assessor, who shall be sworn to the faithful performance of his duty, said appointment to be subject to the approval of the mayor and aldermen, whose duty it shall be to furnish the assessors with all necessary information relative to persons and taxable property in his ward.

May appoint assistant assessors.

SECT. 5. This act shall take effect when approved by the governor and accepted by the city council of Auburn.

Approved February 17, 1883.

Chapter 238.

An Act to incorporate the Brunswick and Harpswell Telegraph and Telephone Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Thomas E. Skolfield, George R. Skolfield, John E. Farr, Alcot J. Merriman, E. C. Simpson, Moses Bailey, Weston Thompson, Elijah K. Hodgkins, their associates, successors and assigns are hereby incorporated under the name of the Brunswick and Harpswell Telegraph and Telephone Company, with all the powers and privileges granted by the general laws of this state to corporations, and subject to all the limitation and obligations therein provided. Said corporation shall have the right to locate, construct and operate lines of telegraph and telephone from Brunswick village, in the town of Brunswick, to Potts Point and Orrs Island, in the town of Harpswell, with powers to establish and collect tolls on the same.

Corporators.

Corporate name.

—powers, privileges and obligations.

SECT. 2. Said company shall have the right within the limits aforesaid to locate and construct its lines upon and along the public way and bridge, or private lands, and shall have the right to lay a cable across Mericoneag sound, between Harpswell neck and the south end of Orrs Island, but

Company may locate and construct lines under certain restrictions.

CHAP. 239 in such a manner as not to incommode or endanger the customary use of such way or bridge, or not to obstruct navigation in said sound, with the right to cut down trees and remove obstacles, when necessary, within the limits aforesaid, except ornamental, fruit or shade trees.

Damages, how estimated.

SECT. 3. If the land of any individual or corporation is taken under this act, and the parties cannot agree on the damages occasioned thereby, they shall be estimated, secured and paid in the manner provided in the case of land taken for railroads.

Capital stock.

SECT. 4. The amount of capital stock shall be fixed by vote of the corporation, not to exceed three thousand dollars, and said corporation may purchase, hold, sell and convey real estate and personal property necessary for the purpose contemplated in this charter.

First meeting, how called.

SECT. 5. Any one of the corporators named in this act may call the first meeting of this company, by mailing a written notice, postage paid, to each of the other corporators, seven days at least, before the day of meeting, naming the time, place and purpose of such meeting; and at such meeting, a president, secretary, treasurer and directors may be chosen, by-laws adopted, and any corporate business transacted.

SECT. 6. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 239.

An Act additional to and amendatory of chapter one hundred and fifty-nine, Special Laws of eighteen hundred and sixty-six, entitled "An Act to supply the people of Portland with pure water."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Portland Water Co. authorized to issue bonds.

SECT. 1. The Portland Water Company is hereby authorized to issue bonds for the payment or refunding of its indebtedness, and for the further construction of its works, for such amount and upon such rate and time as it may deem expedient and necessary, not to exceed the sum of two hundred thousand dollars in addition to the amount of its present bonded debt, and to secure the same by a mortgage or deed

of trust of the franchises, property and estate owned by or CHAP. 240
to be hereafter acquired by said corporation, but such mortgage shall not diminish the security of the bonds heretofore issued by said corporation.

SECT. 2. The city of Portland is hereby authorized to make such contracts and agreements with the Portland Water Company as it may deem necessary for the better supply of water for the extinguishment of fire and other public purposes, and in furtherance thereof, said city is hereby authorized to relieve from public burdens, the property and stock of said company for such a term of years, and upon such conditions, as they may mutually agree, and such contracts and agreements entered into by said company and the city council, in behalf of said city of Portland, shall be valid and binding.

City of Portland
authorized to
make contracts
for water and
relieve company
from taxation.

Approved February 17, 1883.

Chapter 240.

An Act to prevent the throwing of rock, sand and refuse into the Keag river, in the town of South Thomaston.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All persons and corporations are forbidden to throw any stone or granite chips or sand or waste, arising from the cutting or polishing of any granite, or waste and refuse arising from working granite and granite quarries, or any other refuse, into the Keag river, in South Thomaston, Maine, and from placing or piling the same upon the banks of said river, or so near thereto that they shall fall or be washed into said river, in such way and in such quantity as to obstruct or injure the navigation of said river.

Throwing of
stone chips, etc.,
into Keag river,
forbidden.

SECT. 2. If any person shall violate the provisions of this act, he shall be subject to a fine of not more than twenty dollars, nor less than five dollars, for each violation of this act, upon complaint and conviction, before any court of competent jurisdiction.

Penalty for viola-
tion of act.

SECT. 3. This act shall take effect when approved.

Approved February 17, 1883.

CHAP. 241

Chapter 241.

An Act to repeal chapter one hundred and six of the private and special laws of eighteen hundred and seventy-nine, relating to taking fish in Sibley's Pond, in Canaan and Pittsfield.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 106, private laws 1879, repealed.

SECT. 1. Chapter one hundred and six of the private and special laws of eighteen hundred and seventy-nine, is hereby repealed.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 242.

An Act to annex a part of the town of Brooks to the town of Monroe, and to establish the boundary line between said towns.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Line between towns of Brooks and Monroe, established.

SECT. 1. The boundary line between the towns of Brooks and Monroe, in the county of Waldo, is hereby fixed and established as follows, to wit :—Beginning at a stone monument marked M. B. J., at the northeast corner of Brooks, on land of Joel Work ; thence south seventy-one degrees, fifteen minutes, east, nine and one-half rods to the west side of the road, new location, from Jackson to Belfast ; thence continuing in the same direction eighty-nine rods to a stone monument marked M. B., near a pine stub ; thence south one hundred and seventy-six rods, to a stake on the north side of the road, leading from Brooks to Monroe ; thence south twenty-four degrees, fifteen minutes west, thirty-nine rods, to a stake on the east side of the road leading from Jackson to Belfast ; thence continuing in the same direction, one hundred and forty-two rods, to a stake, marked, on the north bank of Marsh stream ; thence continuing in the same direction, two hundred and eight rods, to a white birch tree marked A., S. etc., at the corner of lot number ten, on Brooks' plan ; thence south sixty-three degrees, fifteen minutes east, one hundred and sixteen and one-half rods, to a stake at the west side of

the road leading from Jackson village to the Seth Roberts' estate; thence continuing in the same direction, ninety-five rods, to a stake on the north side of the road leading from Brooks village past Robert Mitchell's house; thence continuing in the same direction, fourteen and one-half rods, to a stake on the west side of the road from Jackson to Belfast; thence continuing in the same direction, one hundred and four rods, to a stake, marked, in the line between Jacob Roberts' and Percy Clifford's land; thence south sixty-two degrees, thirty minutes east, seventy-four rods, to a stake on the north side of the road past Jacob Roberts' house; thence continuing in the same direction, fifty-eight rods, to stake on the west side of the road, new location, near Edward Lenfest's house; thence continuing in the same direction, fifty rods, to a stone monument marked M. B., at the corner of lot number thirteen, on Brooks' plan; thence south, twenty-eight degrees west, fifty-eight rods, to a stone monument marked M. B., at the corner of lot number thirteen, on Brooks' plan; thence south, sixty-three degrees east, one hundred and forty-six rods, to a beech tree and cedar stake; thence south twenty-one degrees, thirty minutes west, one hundred and forty-eight rods, to a spruce tree, marked, near the shore of Toddy pond; and that so much of the territory of the town of Brooks, with the inhabitants thereon, as lies between the division line herein established, and the division line between said towns established by chapter one hundred and sixty-six of the special laws of eighteen hundred and twenty-three, be and hereby is set off from said Brooks and annexed to said Monroe.

Certain territory
set off from
Brooks to
Monroe.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1883.

CHAP. 243**Chapter 243.**

An Act to set off the city of Hallowell from what used to be the South Kennebec Agricultural Society, and join it to the Kennebec County Agricultural Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

City of Hallowell
set off from South
Ken. Ag. Society.

SECT. 1. The city of Hallowell is hereby set off from what used to be the South Kennebec Agricultural Society, and is hereby joined to, and incorporated with, the Kennebec County Agricultural Society, and hereafter shall be embraced within the limits of the Kennebec County Agricultural Society.

SECT. 2. All acts and parts of acts, inconsistent herewith, are hereby repealed.

Approved February 17, 1883.

Chapter 244.

An Act to incorporate the North Franklin Telephone and Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. J. W. Porter, G. Z. Higgins, B. B. Harvey, D. B. Fogg, William E. Bates, E. J. Gilkey, P. H. Stubbs, A. Daggett, S. Morrell, A. D. Starbird, I. R. Bray, S. Stanley, William Dolbier, K. Smith, A. Blanchard, their associates, successors and assigns, are hereby created a body politic, by the name of the North Franklin Telephone and Telegraph Company, with all the powers, rights and privileges, and subject to all the duties and obligations granted and prescribed by the general laws of this state, relating to corporations, said corporation shall have the right to locate, construct, maintain and operate lines of telephone and telegraph from any point in the town of Strong, through any intervening town or plantation, to Eustis, and the state line near lake Megantic, or to any intermediate point, with branch lines to New Portland, Anson and Salem.

Corporate name.

Powers and
obligations.

Company
authorized to
locate, construct
and maintain
lines.

SECT. 2. Said company shall have the right, within the limits aforesaid, to locate, construct and maintain its lines upon and along any public way, railroad, bridge or private lands, but in such manner as not to incommode or endanger the customary use of such way, road or bridge, with the right

to cut down trees and remove obstacles, when necessary, within the limits aforesaid, except ornamental, fruit or shade trees, and with the power to establish and collect tolls on said line or lines.

SECT. 3. If the land of any individual or corporation is taken under this act, and the parties cannot agree on the damages occasioned thereby, they shall be estimated, secured and paid in the manner provided in case of land taken for railroads.

Damages, how estimated and paid.

SECT. 4. Said corporation is hereby authorized to connect its line or lines with those of any other telegraph or telephone company, or to sell or lease its line or lines of telegraph and property, and telephone and property, either before or after completion, to any other telegraph or telephone company, upon such terms as may be mutually agreed upon, which sale or lease shall be binding upon the parties, or to purchase or lease any other line or lines of telegraph or telephone, upon such terms and conditions as may be mutually agreed upon.

Authorized to connect with, lease or sell to other lines.

SECT. 5. The amount of the capital stock shall be fixed by vote of the corporation, but not to exceed the amount that may from time to time be determined to be necessary for the purposes herein specified, but not exceeding ten thousand dollars, and said corporation may purchase, hold, sell and convey real estate, and personal property necessary for the purposes contemplated in this charter.

Capital stock.

SECT. 6. Any one of the corporators named in this act may call the first meeting of this company, by mailing a written notice, postage paid, to each of the other corporators, seven days at least, before the day of meeting, naming the time, place and purposes of such meeting; and at such meeting a president, secretary, treasurer and directors may be chosen, by-laws adopted, and any corporate business transacted.

First meeting, how called.

SECT. 7. This act shall take effect when approved.

By-laws.

CHAP. 245**Chapter 245.**

An Act to prevent the taking of trout from Bryants Brook and Beaver Brook, in the Town of Scarborough.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Taking trout from certain brooks, prohibited for five years.

Penalty for violation.

SECT. 1. No person shall be allowed to catch or take any trout, in any manner, from Bryants brook or Beaver brook, nor from the creek into which said brooks flow, in the town of Scarborough, Cumberland county, for the term of five years from the passage of this act, under a penalty of five dollars for each trout so taken, to be recovered by complaint before any trial justice in said county ; one-half to go to the prosecutor, and one-half to said town of Scarborough.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 246.

An Act to authorize the inhabitants of the Town of Wells to construct a bridge across tide waters of Ogunquit River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Town of Wells authorized to build bridge over tide waters.

SECT. 1. The inhabitants of the town of Wells are hereby authorized to construct a bridge over the tide waters of Ogunquit river, so-called, in the town of Wells, at the eastern terminus of the town way, leading from the county way to said river, whenever the inhabitants of said town shall so vote.

SECT. 2. This act shall take effect when approved.

Approved February 17, 1883.

Chapter 247.

CHAP. 247

An Act to provide in part for the expenditures of Government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year of eighteen hundred and eighty-three, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized, at any time prior to the first day of January next, to draw his warrant on the treasurer for the same :	Act of appropriation.
Public debt, four hundred thirty-six thousand dollars	\$436,000 00
Interest on public debt, three hundred thirty thousand dollars.....	330,000 00
Sinking fund, eighty thousand four hundred seventy-nine dollars and ninety-five cents.....	80,479 95
School fund and mill tax due in eighteen hundred and eighty-three, three hundred thirty-five thousand nine hundred six dollars and seventeen cents	335,906 17
School fund and mill taxes due prior to eighteen hundred and eighty-three, thirty-nine thousand three hundred fifty-four dollars and sixty-five cents.....	39,354 65
Normal schools, nineteen thousand dollars.....	19,000 00
Free high schools, twenty-six thousand dollars..	26,000 00
Insane state beneficiaries, forty-two thousand five hundred dollars.....	42,500 00
County taxes collected in eighteen hundred and eighty-two, eleven thousand four hundred eighty-five dollars and forty-one cents.....	11,485 41
Penobscot Indians, shore rents, fourteen hundred eighty-four dollars.....	1,484 00
Madawaska school fund, three hundred dollars..	300 00
Houlton academy, one hundred twenty dollars..	120 00
Expenses of superintendent of common schools, four hundred dollars.....	400 00
Presque Isle academy, one hundred eighty dollars	180 00

CHAP. 247	Hebron academy, sixty dollars.....	\$60 00
	Foxcroft academy, sixty dollars.....	60 00
	Maine Central institute, six hundred dollars.....	600 00
	Oak Grove seminary, three hundred dollars.....	300 00
	Salaries of public officers, fifty-five thousand dollars	55,000 00
	Salary of pension clerk, one thousand dollars...	1,000 00
	Salary of fish commissioner, one thousand dollars	1,000 00
	Salary of land agent, eight hundred dollars.....	800 00
	Salary of bank examiner, nine hundred dollars..	900 00
	Salaries of clerks in secretary of state's office, eighteen hundred dollars.....	1,800 00
	Salaries of clerks in state treasurer's office, twenty- two hundred dollars.....	2,200 00
	Salary of clerk in adjutant general's office, five hundred dollars.....	500 00
	Salary of clerk in office of superintendent of com- mon schools, five hundred dollars.....	500 00
	Salary of messenger to the governor and council, five hundred dollars.....	500 00
	Contingent fund of secretary of state, one hun- dred and fifty dollars.....	150 00
	Board of Agriculture, five hundred dollars	500 00
	Military purposes, sixteen thousand dollars	16,000 00
	Soldiers' pensions, twenty thousand dollars,.....	20,000 00
	Sanford legacy, forty-two dollars.....	42 00
	Railroad and telegraph tax due towns, five hun- dred eighty-five dollars and eleven cents.....	585 11
	Due towns for railroad and telegraph tax, eighteen hundred and eighty,-eighteen hundred and eighty-two, twenty-five thousand eight hundred sixty-six dollars and ninety-three cents.....	25,866 93
	Madawaska school fund, interest, two hundred forty-five dollars and sixteen cents.....	245 16
	Farmers' institutes, fourteen hundred dollars....	1,400 00
	Agricultural societies, five thousand dollars.....	5,000 00
	Secretary of board of Agriculture, six hundred dollars	600 00
	Contingent fund of governor and council, five thousand five hundred dollars.....	5,500 00

Contingent fund of treasurer of state, five hundred dollars.....	\$500 00
Sheriffs and coroners, five hundred dollars.....	500 00
State prison for the payment of old debts, twenty-three thousand one hundred fifteen dollars....	23,115 00
Arrears of salary for reporter of decisions, nine hundred eighteen dollars and seventy-five cents	918 75
Madawaska training school, deficiency, one hundred eighty-two dollars and fifty cents.....	182 50
Costs in criminal prosecutions, deficiency, one hundred eighty-four dollars.....	184 00
Investigation Maine insane hospital, deficiency, eighteen hundred and eighty-one, three hundred twenty-six dollars.....	326 00
Pay-roll of council, four thousand dollars.....	4,000 00
Engrossing clerk and proof reader, three hundred dollars	300 00
Inspectors of state prison and jails, deficiency, eight hundred dollars.....	800 00
Inspectors of state prison and jails, one thousand dollars	1,000 00
Protection and propagation of fish and game, deficiency, eighteen hundred and eighty-two, five hundred dollars.....	500 00
Assistant clerk in library, three hundred fifty dollars.....	350 00
Support of paupers in unincorporated places, six thousand dollars.....	6,000 00
Deaf, dumb and blind, fourteen thousand dollars	14,000 00
Idiotic and feeble minded persons, eight hundred dollars	800 00
Report of judicial decisions, twenty-four hundred dollars	2,400 00
Costs in criminal prosecutions, fifteen hundred dollars	1,500 00
Military pensions, two thousand dollars.....	2,000 00
Printing, twelve thousand dollars.....	12,000 00
Stationery, two thousand dollars.....	2,000 00
Binding and stitching, fifty-five hundred dollars.	5,500 00
Advertising laws, twenty-five hundred dollars...	2,500 00
Postage, twenty-five hundred dollars.....	2,500 00

CHAP. 248	Library, five hundred dollars.....	\$500 00
	Transportation of documents, five hundred dollars	500 00
	Inspectors of steamboats, eight hundred dollars .	800 00
	Lands reserved for public uses, fifteen hundred dollars	1,500 00
	Interest on lands reserved for public uses, twenty-five hundred dollars.....	2,500 00
	Forfeited lands, five hundred dollars.....	500 00
	Journal of council, one hundred and fifty dollars	150 00
	Indices, one hundred and fifty dollars.....	150 00
	Bounty on animals, fifteen hundred dollars.....	1,500 00
	Trustees insane hospital, one thousand dollars..	1,000 00
	Visiting committee to insane hospital, three hundred fifty dollars.....	350 00
	Amounting to fifteen hundred fifty-seven thousand six hundred forty-five dollars and sixty-three cents	\$1,557,645 63
	SECT. 2. This act shall take effect when approved.	

Approved February 20, 1883.

Chapter 248.

An Act to incorporate the town of Old Orchard.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Part of city of Saco set off and incorporated into a town.
—boundaries.

SECT. 1. All that part of the city of Saco lying within the following described lines and boundaries, namely, commencing at the easterly corner between the said city of Saco and the town of Scarborough, at low water mark ; thence by the line between said city of Saco and said town of Scarborough, northwesterly to a stone in the sea wall ; thence north, forty-two degrees and fifty-five minutes west, by said line, six hundred and ninety-three rods, to a granite stone placed at a point where the line between said city of Saco and said town of Scarborough intersects with a line in said city of Saco known as the Granger line ; thence south, forty-seven degrees and twelve minutes west, eight hundred and sixty-three and one-half rods, to a granite stone on the bank

of Goose Fair brook in said city of Saco; thence southeasterly by said Goose Fair brook to the sea; thence by the sea to the boundary first above named, with all the sea shore and flats lying between said Goose Fair brook and said easterly corner of the city of Saco, is hereby incorporated into a separate town by the name of Old Orchard, and the inhabitants thereof are hereby invested with all the powers and privileges, and are made subject to all the duties and liabilities incident to other towns within this state.

Corporate name,
Old Orchard.

Powers, privileges and liabilities.

SECT. 2. All taxes heretofore legally assessed upon property within the said limits of Old Orchard shall remain valid and shall be collected from the persons or corporations against whom they are assessed by the collector of the city of Saco, to whom they have been or may be committed, and shall be applied to the several purposes for which they are raised. All existing provisions of law shall be applicable to said taxes and their collection, and all existing liens shall be preserved.

Collection and application of taxes heretofore assessed.

SECT. 3. Said town of Old Orchard shall have power to raise money and expend the same to provide and maintain a police force, to purchase and maintain engine houses, reservoirs, engines and other apparatus for the extinguishment of fires, and to organize and equip fire companies in connection therewith, to establish and maintain drains and sewers and other proper means for the preservation of the public health, and to build and repair side-walks; and for the purposes of such improvements, said town shall have power to take private property, and the damages to be paid therefor shall be determined in the same manner as now provided by statute in the case of town ways.

Town authorized to raise and expend money for certain purposes.

SECT. 4. All moneys raised by said town for the purposes named in the preceding section, and to be applied for the making of said improvements within the following described limits in the town of Old Orchard, namely, commencing at a point at low water mark on Old Orchard beach, on the division line between the town of Scarborough and city of Saco; thence north, forty-two degrees and fifty-five minutes west, by said division line to a stake at mean high water mark, placed one hundred and ninety-two feet southeasterly from the stone monument placed by the municipal officers in said line; thence from said stake north, forty-two degrees and fifty-five minutes west, on said division line, thirteen hundred

Limits within which improvements shall be made.

CHAP. 248

and eighty-four feet to an iron monument upon the north-westerly property line of the Boston and Maine railroad; thence south, forty-five degrees west, by said property line, fifty-five hundred and eighty-eight feet to an iron monument; thence north, forty-five degrees west, forty-four hundred and eighty-three feet to an iron monument; thence south, forty-five degrees west, sixty-three hundred feet to an iron monument and post upon the westerly side of Union avenue, so called, standing at the northerly corner of the homestead farm of John Jameson; thence south, thirty-six degrees west, on the line known as the first division line of John Bonythan, seventy-six hundred and forty-four feet to an iron monument in the ditch bank at the edge of the salt marsh bordering on Goose Fair brook; thence on the same course to the center of Goose Fair brook; thence southeasterly, by said brook, to low water mark on Old Orchard beach; thence northeasterly, by the low water line of said beach, to the point of beginning, shall form separate taxes, and shall be assessed upon the polls and estates within said limits, within which such money is to be expended.

Assessors to determine whether abutters may enter public drains.

- to fix amount to be paid for right.

Appeals from decisions of assessors, may be taken to county commissioners.

SECT. 5. Whenever public drains or sewers shall be constructed within the limits named in section four of this act, it shall be the duty of the assessors, after notice to the abutters thereof, and hearing, as provided by law in case of laying out of town-ways, to determine whether it is reasonable and proper, that any such abutter upon whose land any building shall have been erected, shall enter such drain or sewer, and if, in their judgment it shall be reasonable and proper for such abutter to enter his waste pipes or drains into such public drain or sewer, they shall determine the amount to be paid by him for the right so to do. They shall also determine the amount to be paid by any abutter, owning vacant land upon the line of said drain or sewer, if, in their opinion, the same will be benefited thereby. Any person aggrieved by any decision of such assessors, may appeal to the county commissioners for the county of York, within thirty days after he has been notified in writing thereof, by said assessors. Said appeal shall be in writing, and after notice stating the time and place of the hearing thereof, served upon said assessors at least seven days before the time fixed therefor, said commissioners shall proceed to hear the parties and their

witnesses, and determine said appeal. When the amount of such damages shall be finally determined, it shall be a lien upon the premises upon which it was assessed, and may be enforced by said town of Old Orchard in an action of debt, if the same is not paid within thirty days after such final determination. No abutter shall enter such public drain or sewer, until the amount to be paid by him therefor shall have been so fixed and paid.

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Damages, now finally determined and paid.

SECT. 6. The inhabitants of said city of Saco, and said town of Old Orchard, respectively, shall own and hold all school houses, town farm, halls and other public property situated within their several limits, after this act shall take effect, and the inhabitants of said town of Old Orchard shall assume and pay all existing and outstanding liabilities incurred for the erection of the school house at said Old Orchard, including a note of one thousand dollars, dated January twenty-one, eighteen hundred and eighty-one, signed by Henry W. Staples and F. J. Cousens, committee, payable to John C. Bradbury, treasurer, and all other notes issued by said committee, by virtue of the authority conferred on them by the city council of the city of Saco, June seven, eighteen hundred and eighty, and said inhabitants of the city remaining, after this act shall take effect, shall assume and pay all legal debts and liabilities, now or hereafter outstanding against said city of Saco. Said town of Old Orchard, or any inhabitant, may recover of said city of Saco, any money which he shall be compelled to pay by reason of said debts and liabilities, other than the taxes now legally assessed as aforesaid, and said school house liabilities.

Ownership of public property vested in town where situated.

Town to assume certain school-house liabilities.

SECT. 7. No person residing within said town of Old Orchard, at the time when this act shall take effect, shall hereafter become chargeable as a pauper, or otherwise, to said city of Saco, unless such person shall hereafter acquire a settlement therein, in some of the modes now provided by law.

Pauper liabilities.

SECT. 8. The first meeting of the town of Old Orchard may be called at Old Orchard by any justice of the peace, by posting his warrant therefor, stating the time, place and purposes of said meeting, in three public and conspicuous places, within said town, seven days, at least, before said meeting. All officers chosen at said meeting shall have all the powers of like officers, as now provided by law.

First meeting of town, how called.

CHAP. 249

Polls and value
of estates set
to each municipal-
ity.

SECT. 9. The number of polls set to the city of Saco shall be one thousand four hundred and thirty-three; the value of estates, three million fifteen thousand three hundred and thirty-three dollars; and the number of polls set to the town of Old Orchard, shall be one hundred and twenty-five, and the value of estates three hundred and ninety-three thousand two hundred dollars, and all state and county taxes hereafter shall be assessed accordingly.

SECT. 10. This act shall take effect when approved.

Approved February 20, 1883.

Chapter 249.

An Act to authorize the sale or lease of the Knox and Lincoln Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Certain cities and
towns authorized
to consent to sale
or lease of Knox
and Lincoln R. R.

SECT. 1. The cities of Bath and Rockland and the towns of Wiscasset, Newcastle, Damariscotta, Nobleborough, Waldoborough and Thomaston, are authorized severally or jointly to consent, that the Knox and Lincoln Railroad Company may sell and convey or lease for a term of years or in perpetuity, the railroad of said company, its franchise, property and rights of property, and to suspend and waive their rights as mortgagees, or otherwise, to take possession of said railroad and property on such terms and conditions as may be determined at meetings of the legal voters of said cities and towns to be called and notified for that purpose; *provided, however,* that the same terms and considerations shall be offered to all the said cities and towns for the sale or lease as herein provided.

Previous.

Company, under
conditions,
authorized to sell
or lease road.

SECT. 2. The Knox and Lincoln Railroad Company, by the consent of said cities and towns and suspension and waiver of their rights as mortgagees or otherwise, to take possession of said railroad and property as provided in the preceding section, is hereby authorized to sell and convey or lease for a term of years or in perpetuity, the railroad of said company, its franchise, property and rights of property, on such terms and conditions as may be determined at a meeting of the stockholders of said company to be called and notified for that purpose.

SECT. 3. Any railroad corporation existing or doing business under or by virtue of the laws of this state or any corporation qualified to acquire and hold the title, may become the purchaser or lessee of the railroad, its franchise and property aforesaid, or of any right, title or interest in or to the same; and said corporation so becoming the purchaser or lessee as aforesaid, is hereby authorized to make such purchase or take such lease, and to pay for the same, by the issue of bonds or in such other manner as may be agreed upon by the parties, and if bonds shall be issued, said purchaser or lessee may secure the payment of the same by a mortgage of its interest in said railroad, its franchise and property.

SECT. 4. This act shall take effect when approved.

Approved February 20, 1883.

CHAP. 250

Any railroad corporation may purchase or lease.

Purchaser authorized to issue bonds.

Chapter 250.

An Act to amend chapter two hundred and sixty-seven of the special laws of eighteen hundred and eighty, entitled "An Act granting permission to John P. Perley, William F. Perry, and others to locate and construct a railroad from Bridgton to some point on the line of the Portland and Ogdensburg, or Portland and Rochester railroads, not nearer Portland than the village of Saccarappa."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. Chapter two hundred and sixty-seven of the special laws of eighteen hundred and eighty is hereby amended by striking out the names and words "Samuel F. Perley, Elias Goff, Albion G. Bradstreet, Bridgton, eighty-four," and inserting instead the names and words, 'George P. Westcott, Charles P. Mattocks, John P. Gilman, Edward Moore, William L. Longley, John M. White, Standish, eighty-eight,' and by striking out the words "Bridgton and" wherever they occur in the name of the corporation, and by adding at the end of section one, the words: 'and provided further, that any part of the Presumpscot river railroad, which said Perley and the other persons herein named and their associates may locate and construct from time to time within the time mentioned, shall not be forfeited or the rights and privileges thereunder in any way abridged by the failure of said Perley and the other persons herein named, and their associates to construct the whole of said line of railroad,' so that said chapter, as amended, shall read as follows:

Ch. 267, special laws 1880, amended.

CHAP. 250

John P. Perley et
als. permitted to
locate and con-
struct railroad.

—location.

Proviso.

Corporate name.

'SECT. 1. Permission is hereby granted to John P. Perley, William F. Perry, William A. Stevens, Joseph L. Wales, Henry A. Shorey, Samuel C. Smith, Freeman H. Brown, George S. Farnsworth, James Webb, Junior, Byron Kimball, Luther Billings, William Iredale, George P. Westcott, Charles P. Mattocks, John P. Gilman, Edward Moore, William L. Longley and John M. White and their associates to locate and construct a railroad from the town of Standish in the county of Cumberland, through the Presumpscot valley to some point on the line of the Portland and Ogdensburg railroad or Portland and Rochester railroad, not nearer Portland than the village of Saccarappa; *provided*, that no portion of any such railroad be located or constructed nearer any portion of the buildings or works of the Oriental powder mills, in the towns of Gorham and Windham, than the present track of the Portland and Ogdensburg railroad; *and provided further*, that said railroad shall be completed on or before November first, in the year of our Lord one thousand eight hundred and eighty-eight, and permission is hereby granted said John P. Perley and others aforesaid, and their associates, to organize under the corporate name of the Presumpscot River Railroad Company, whenever they shall have complied with the provisions required by chapter one hundred and twenty of the public laws of the year one thousand eight hundred and seventy-six; *and provided further*, that said Presumpscot River Railroad shall connect with the Portland and Ogdensburg railroad, if such connections would be as advantageous to the Presumpscot River Railroad Company as a connection with the Portland and Rochester railroad would be; and in case of disagreement between any parties interested, the matter shall be decided by the railroad commissioners, who are hereby made judges, and they shall decide the matter at the request of either of said three railroad companies; *and provided further*, that any part of the Presumpscot River Railroad, which said Perley and the other persons herein named and their associates may locate and construct from time to time within the time mentioned, shall not be forfeited, or the rights and privileges thereunder in any way abridged by the failure of said Perley and the other persons herein named and their associates to construct the whole of said line of railroad.'

SECT. 2. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 251.**CHAP. 251**

An Act to incorporate the Madawaska Agricultural and Horticultural Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Alexis Cyr, Charles Morneau, Remi Plourd, Dennis Cyr, Regis Thibodeau, Cook Hammond, Charles Farrell, Joseph Martin, Xavier Cyr, Peter Charles Keegan, Narcis Dufour, Luc Albert, Maxim Martin, Joseph Daigle, Gilbert Pickard, Jean Cyr, Baptiste Fournier, John A. Nadeau, James W. Bolton, Peter Gangon, Alexander Martin, William Dickey, Levi Sears, Daniel Hafford, Henry Nadeau, W. M. Cyr, J. J. Wheelock, Martin Savage, Cyrille Pelkie, their associates, successors and assigns, be, and they are hereby created a corporation by the name of the Madawaska Agricultural and Horticultural Society, to be located at Grand Isle and Madawaska, in the county of Aroostook, with power by that name to sue and be sued ; to have and use a common seal ; to make by-laws and all necessary regulations for the management of their affairs, not repugnant to the laws of this state ; and to have all the rights and privileges, and be subject to all the liabilities of similar societies in this state.

Corporators.

Corporate name.

Powers, privileges and liabilities.

SECT. 2. Said society is hereby established within and for the towns of Grand Isle, Madawaska, Van Buren, Hamlin, Cyr, Frenchville, Fort Kent, Saint John, Saint Francis, Wallagrass and Eagle Lake, and may take and hold real estate at a cost of five thousand dollars, including grounds for fairs and race-course, and personal property to the amount of five thousand dollars.

Limits of society.

SECT. 3. The first meeting of said corporation may be called by any three of the persons named in the first section of this act, by giving such notice of the time, place and objects thereof, as they think proper ; and at said meeting, the officers of said corporation may be chosen, and such other corporative business done as may be deemed proper.

First meeting, how called.

SECT. 4. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 252.

An Act to revive and amend chapter one hundred and forty-nine of the private acts of eighteen hundred and sixty-two, entitled "An Act to incorporate the Weskeag Manufacturing Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch 149, private laws 1862, revived, and sections 2, 3 and 4, amended.

SECT. 1. Chapter one hundred and forty-nine of the private acts of eighteen hundred and sixty-two is hereby revived, and sections two, three and four thereof are amended so as to read as follows :

Capital stock.

'SECT. 2. The capital stock of the corporation shall not exceed the sum of one hundred thousand dollars; to be divided into shares of not less than ten dollars each, to be fixed by the directors; and no share shall be issued for less than its par value. Certificates of stock shall be issued and numbered, signed by the president and clerk, and at all legal meetings of said company, each stockholder of said company shall be entitled to one vote for every share held by him.'

Certificates, how issued.

Corporation authorized to manufacture oil, etc.

'SECT. 3. The corporation may and is hereby authorized to engage in and carry on the manufacture of any kind of oil, and of fertilizers and dressings for land, of every description, and of any other substance connected therewith, in the counties of Knox and Lincoln, and said corporation may, and is hereby authorized to purchase, hold, improve, lease or sell real and personal estate not exceeding at any one time the sum of one hundred thousand dollars; and may erect any buildings and fixtures necessary for said manufacture, and may build and operate mills for the purposes aforesaid, as may be deemed expedient.'

First meeting, how called.

'SECT. 4. Either of the persons above named may call the first meeting of the corporation, by giving such previous notice therefor, as he may deem proper; at which meeting any corporate business may be transacted.'

SECT. 2. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 253.**CHAP. 253**

An Act to incorporate the Winterport Village Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The territory included within the school districts numbers two and sixteen in Winterport, in the county of Waldo, together with the inhabitants thereon, be, and the same are hereby made a body politic and corporate by the name of the Winterport Village Corporation.

Boundaries.

SECT. 2. Said corporation is hereby authorized and vested with power, at any legal meeting called for the purpose, to raise money to defray the expenses of a night watch, a police force, and all other necessary measures for the better security of life and property, and for the promotion of good order and quiet within its limits ; for the purchase, lease, repair and preservation of one or more fire engines, engine houses, hose, buckets, ladders, or other apparatus for the extinguishment of fires, for the construction of reservoirs and aqueducts to supply water, for organizing and maintaining an efficient fire department, for the improvement of streets and sidewalks, and for the support of schools ; for the purchase and improvement of lands for village parks or commons, for the planting of shade trees, for the purchase or lease of lands for and the building of a village hall and library, for the lighting of the streets, for the building and maintaining of a slip and landing place for boats, and for any acts necessary for the prevention of infectious diseases and the preservation of the public health, within its limits ; *provided*, that no sum shall be raised or appropriated during any one year, exceeding three hundred dollars, unless two-thirds of the voters present, and voting at any legal meeting called therefor, vote to raise a larger sum.

Corporate name.

May raise money for certain purposes.

Proviso.

SECT. 3. Any money raised by said corporation for the purposes aforesaid, shall be assessed upon the property and the polls within the aforesaid territory, by the assessors of said corporation, in the same manner as is provided by law for the assessment of town taxes ; and said assessors may copy the last valuation of said property by the assessors of the town of Winterport, and assess the tax thereon, if said corporation shall so direct, and may abate any tax by them so assessed, the tax on polls not to exceed, at any one assessment, the sum of one dollar to each poll.

Assessments, how made.

CHAP. 253

Duty of assessors.

Power in regard
to collection of
taxes.Officers, powers
and authority.

By-laws.

SECT. 4. Upon a certificate being filed with the assessors of said corporation, by the clerk thereof, of the amount of the money raised at any meeting for the purposes aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount upon the polls and personal estates of persons residing on said territory, and upon all real estate of resident and non-resident proprietors thereof, within said territory, and of the assessors to certify and deliver to the treasurer or collector of said corporation, whose duty it shall be to collect the same in like manner as town taxes, by law, are collected by towns, and to pay it out to the order or direction of the corporation, and exhibit all accounts thereof to the assessors when requested; and said corporation shall have the same power to direct the mode of collecting said taxes as towns have in the collection of town taxes.

SECT. 5. The officers of said corporation shall consist of a clerk, three assessors, treasurer, collector, three fire wardens, board of police officers, and such other officers as may be provided for in the by-laws of said corporation, and said officers shall severally have, exclusively, all power and authority within the limits of said corporation, that similar officers now have, or may have, chosen by towns; the said board of police officers to consist of such a number as the corporation may, from time to time, decide, who shall be duly sworn and have power to execute all warrants, and have the same power to preserve the public peace and prevent public disturbances within said corporation, as is given by the laws of this state to constables and police officers in cities in this state, and to restrain all infractions of and carry into effect such by-laws as said corporation shall adopt in pursuance of this act.

SECT. 6. The said corporation, at any legal meeting thereof called for the purpose, may adopt such by-laws and provisions not inconsistent with the constitution and the laws of the state as they may deem expedient and necessary for the better government and regulation of municipal affairs within said corporation, in which case such by-laws and provisions so adopted shall extend to said corporation as fully to all intents and purposes as the other provisions of this act, subject only, to such alterations or additions by a two-thirds vote, at any legal meeting of said corporation called for the purpose.

SECT. 7. All meetings of said corporation, after the first, shall be notified by warrant of the assessors, notices of which shall be posted up in three public places within its limits seven days prior to the meeting, stating the time, place and purposes of the meeting; and a meeting shall at any time be called on written application of seven legal voters to said assessors, stating the time, place and purposes for which said meeting is requested.

Meetings, how called.

SECT. 8. Albert E. Fernald, Frank W. Kelley, and David H. Smith, or either two of them, are hereby authorized to call the first meeting of said corporation, and for that purpose to notify the legal voters thereof to meet at some suitable time and place within its limits, the notice to be posted up in three public places within said limits, seven days prior to the time of said meeting; and either of said persons is authorized to preside at said meeting until it is organized, and afterwards, at all meetings, a moderator shall be chosen in the same manner and with the same power as in town meetings.

First meeting, how called.

SECT. 9. The qualification of voters at any meeting of said corporation shall be the same as is required at town meeting; and the assessors shall annually make a list of the legal voters in said corporation in the month of April, and shall post a copy of such list of voters in the clerk's office on or before the first day of June in each year, and it may be corrected at any time, including the day of election.

Qualification of voters.

SECT. 10. At the first meeting, prescribed in section eight of this act, the legal voters shall vote by ballot on the question of accepting this charter, and if two-thirds of the voters present shall vote in favor of its acceptance, then this act shall take effect, and they shall proceed to organize and choose its officers.

Acceptance of charter.

SECT. 11. This act shall take effect when approved by the governor, but shall not be binding on said corporation, unless accepted by them as hereinbefore provided.

When to take effect.

Approved February 21, 1883.

Chapter 254.

An Act to incorporate the Solon and Embden Bridge Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Turner Buswell, C. B. McIntire, David Patterson, John L. Pierce, Joseph Maynard, Heman Whipple, Joseph Buswell, Jotham Whipple, Timothy Smith, T. F. Boothby, S. D. Rowell, Joshua G. Boyington, J. D. Black, William H. Whitney, Moses Thompson, G. W. McIntire and G. R. Brown, with their associates and successors are hereby constituted a body corporate by the name of the Solon

Corporate name.

Purposes.

and Embden Bridge Company, for the purpose of erecting and keeping in repair a bridge over the Kennebec river, within the limits of said towns of Solon and Embden, at such place as said corporation may deem most practicable and convenient ; and the said corporation shall have power to purchase and hold such real and personal estate as may be necessary to carry into effect said object ; to prosecute and defend

Powers.

By-laws.

suits at law ; to have and use a common seal ; to make by-laws for the management of their concerns, not repugnant to the laws of this state ; and to have and enjoy all the powers and privileges incident to or usually granted to similar corporations.

Bridge, where and how constructed.

SECT. 2. Said bridge shall be erected across the Kennebec river, within the limits aforesaid, shall be constructed of good materials, of a suitable height from the water, and not less than twenty-four feet wide, with suitable and sufficient covering or railing for the safety of passengers ; and sufficient passage ways shall be left for the passage of boats, rafts, logs and timber.

Tolls established.

SECT. 3. A toll is hereby granted and established for the benefit of said corporation, according to the rates following. to wit : for every foot passenger, two cents ; for each horse and rider, six cents ; for each sleigh, sled, cart, wagon, chaise, chair or sulky drawn by one beast, ten cents ; or when drawn by two beasts, fifteen cents ; and for each additional horse or beast, beyond two, two cents ; for each coach, chariot, cabriolet or curricule, drawn by more than two horses or beasts, twenty-five cents ; for droves of neat cattle, horses, mules or asses, three cents each ; for sheep and swine, ten cents a dozen ; and no additional toll shall be charged for persons actually

traveling in any said vehicles, but this exception shall not extend to persons taken in for the purpose of avoiding toll; and only one person as a driver to each team shall be allowed to pass free of toll; and said tolls may be commuted by this corporation, with any person or corporation, by taking of him or them a sum certain for a specified time instead thereof. Persons going or returning from military duty, or to or from any place of public worship on the sabbath, or to or from funerals, shall be allowed to pass free of toll.

SECT. 4. At the place of collecting tolls, said corporation shall constantly expose to view a board or sign, upon which shall be plainly printed the rates of toll aforesaid; and whenever the toll-gatherer shall be absent from the toll-house, the gates shall be left open and the bridge toll free; and the toll shall commence when the bridge is first opened to passengers.

Rules.

SECT. 5. If said corporation shall neglect or refuse, for the term of five years from the passage of this act, to build and complete said bridge, this act shall be null and void.

Act void if bridge is not completed within five years.

SECT. 6. Any three persons named in the first section may call the first meeting of the corporation, by posting notice of the time, place and purpose of meeting, in two public and conspicuous places in said Solon and Embden, fourteen days before the time of said meeting.

First meeting, how called.

SECT. 7. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 255.

An Act to incorporate the Buxton and Hollis Agricultural Society.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. That Storer S. Milliken, Aaron Clark, Joel M. Marshal, Henry K. Bradbury, Isaac N. Deering, Stephen L. Smith, Joseph M. Harper, James Knight, Seth Meserve, Ira T. Brackett, John F. McKenney, John Martin, Aaron B. Burnham, John W. Elden, Daniel Hill, Samuel A. Hill, John C. Mayo, John B. Bradbury, John G. Lock, Mark L. H. Owen, David Deering, Ezekiel Deering, Gilbert Hasty,

Corporators.

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George H. Moore, Roscoe G. Stewart, Charles W. Smith, George Libby, William C. Palmer, James W. Meserve, Charles H. Hill, Samuel T. Eaton, Arthur Boothby, Samuel Hanson, their associates and successors be and hereby are created a body corporate by the name of the Buxton and Hollis Agricultural Society, with power to sue and be sued, to have and use a common seal, and to make by-laws and regulations for the management of their affairs not repugnant to the laws of the state.

Limits. SECT. 2. Said corporation is hereby established within the limits of the towns of Buxton, Hollis, Waterborough and Dayton, in the county of York, and other towns in the vicinity, and may take and hold property, real and personal, not exceeding ten thousand dollars, to be used at their discretion for improvement and encouragement of agriculture, horticulture, and the mechanic arts.

Powers and liabilities. SECT. 3. Said association shall have all the powers and privileges, and be subject to all the liabilities mentioned in the revised statutes and public laws of the state, relating to such corporations.

Capital stock. SECT. 4. The capital stock of said corporation shall be divided into one hundred shares.

First meeting, how called. SECT. 5. The first meeting of said corporation shall be called by any two persons named in the first section of this act, by a notice published in the Maine Sentinel and Biddeford Journal, two newspapers printed in said county of York, three weeks successively, the last publication to be at least seven days before said meeting. Said notice shall state the time and place and purposes of said meeting. The officers of said corporation shall be chosen, and such other proceedings had for a full and complete organization, as a majority of the members may determine.

SECT. 6. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 256.**CHAP. 256**

An Act to incorporate the Hot Brook Dam Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. George Stetson, Arad Thompson, T. W. Baldwin and Edward Stetson, their associates and assigns, be, and they are hereby created a body politic and corporate by the name of the Hot Brook Dam Company, with all the powers, rights and privileges of similar corporations.

Corporators.

Corporate name.

SECT. 2. Said corporation may erect and maintain a dam or dams, with side booms and sluices, on Hot Brook, near the foot of Hot Brook lake, in Bancroft plantation, Aroostook county, to facilitate the driving of logs and lumber down Hot Brook; and said corporation may remove rocks, build dams and side dams, and make other improvements on Hot Brook, below said lake and dam, and may take land and materials for building said dams and making said improvements. And if the parties owning said land and materials cannot agree upon the damages therefor, then said damages shall be estimated by the county commissioners for the county of Aroostook, as provided by law in case of taking lands for public highways.

Authorized to erect dams, booms and sluices.

Damages, how estimated.

SECT. 3. Any or all owners of land from which the logs or other lumber is cut, which passes through or over said dams or improvements, shall have the right to take an interest in the stock of said corporation, in proportion to their interest in said land, by paying their proportion of the cost of building and purchasing said dams and improvements.

Land owners shall have right to take stock.

SECT. 4. A toll is hereby granted upon all logs and lumber which may pass through or over said dams and improvements of said corporation, of twenty cents for each and every thousand feet of logs and lumber, board measure, woods scale, and a lien is hereby created therefor upon the logs of each particular mark; and if the tolls are not paid on any mark of logs, within ten days after the logs of such mark, or a major part of them have arrived at the Penobscot boom, then the corporation may sell at public auction so many of such logs and lumber as may be necessary to pay such toll and incidental charges, first giving ten days' notice of the time and place of sale, in some daily newspaper printed in Bangor.

Tolls granted.

Lien for payment of tolls.

Lumber may be sold.

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Cost of dam, etc.,
how paid.

SECT. 5. When the cost of said dam and improvements has been received from tolls by said corporation, with ten per cent annual interest, then the tolls shall be reduced to a sum sufficient to keep said dams and improvements in reasonable repair, and if said dam or dams are not kept in good repair, logs passing over the same shall be free of tolls.

—how ascer-
tained.

SECT. 6. In determining the cost of said dam and improvements, the present value of the dam shall be ascertained by an appraisal to be made by A. L. Powell, scaler, of Danforth, or in case said Powell shall fail to make such appraisal, then by an appraisal to be made by some person to be appointed by the county commissioners of Aroostook county, and such appraisal shall be final.

SECT. 7. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 257.

An Act to amend the articles of association of Lincoln Pulp and Paper Company, and to increase its capital stock.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Charter of Lin-
coln Pulp and
Paper Company
amended.

SECT. 1. Sections three and four of the articles of association of Lincoln Pulp and Paper Company, organized under the general law of the state, August eleven, in the year of our Lord eighteen hundred and eighty-two, are hereby amended as follows : by striking out of said section three, the words, "to the amount of seventy-five thousand dollars," so that said section as amended shall read :

Authorized to
hold real and
personal estate,
etc.

'Third. To purchase, hold, have and enjoy in fee simple or any less estate, lands, tenements and estate real, personal or mixed, for uses within the purview of existing laws, with right to sell and convey the same in any form.' And by striking out of said section four, the words "seventy-five," and inserting in their stead, the words, 'two hundred and fifty,' so that said section four shall read :

Capital stock.

'Fourth. Fix the capital stock at not less than forty thousand nor more than two hundred and fifty thousand dollars, divide its stock into shares of fifty dollars each, but to do no business other than to perfect a legal existence and a legal

Not to do busi-
ness until certain
amount is sub-
scribed.

organization under these articles of agreement and take obligations for the conveyance of property to it, until twenty-five thousand dollars of the capital stock shall have been subscribed.'

SECT. 2. This act shall take effect when approved.

Approved February 21, 1883.

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Chapter 258.

An Act reviving, amending and making valid the doings under the charter of the Hartland Village Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The charter granted to the Hartland Village Corporation by chapter two hundred and seventy-five of the private and special laws of eighteen hundred and seventy-six, is hereby revived and made valid.

Charter of Hartland Village Corporation revived and amended.

SECT. 2. The doings of said corporation, at its meetings on July twenty-seven and August ten, eighteen hundred and eighty-two, and all acts in pursuance thereof, are hereby ratified and made legal.

Doings ratified and made legal.

SECT. 3. Section one of said chapter is hereby amended by striking out, after the word "limits," in the first line, the words "of school district number one," and inserting in place thereof the words 'of that part of school district number one which is located within the town of Hartland,' so that said section, as amended, shall read as follows :

Sec. 1 amended.

'SECT. 1. The territory embraced within the limits of that part of school district number one which is located within the town of Hartland, together with the inhabitants thereof, be and the same is hereby created a body politic and corporate by the name of the Hartland Village Corporation.'

Limits.

SECT. 4. Section three of said chapter is hereby amended by striking out the word "county," in the fifth line, and inserting in the place thereof the word 'town,' so that said section, as amended, shall read as follows :

'SECT. 3. Any money raised by said corporation for the purposes aforesaid shall be assessed upon the property and polls within the territory aforesaid, by the assessors of said

Money to be raised by assessment.

CHAP. 259

corporation, in the same manner as is provided by law for the assessment of town taxes, and said assessors may copy the last valuation of said property by the assessors of the town of Hartland, and assess the tax thereon, if said corporation shall so direct; may correct said valuation or make a new valuation thereof and assess the same on that valuation.'

Secs. 2, 4, 5, 6 and
7, amended.

SECT. 5. Sections two, four, five, six and seven are hereby amended by striking out the numerals "two, four, five, six" and "seven," and inserting in the place thereof the numerals 'four, six, seven, eight' and 'nine,' respectively.

Approved February 21, 1883.

Chapter 259.

An Act to make valid the doings of the cities of Lewiston and Auburn, in granting leave to George F. Mellen, his associates and assigns, to lay tracks in the streets of said cities for a horse railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Doings of the city
of Lewiston, made
valid.

SECT. 1. The doings of the city of Lewiston, on the twenty-second day of July, eighteen hundred and eighty-one, in empowering and granting leave to George F. Mellen, his associates and assigns, to lay tracks in the streets of said city for a horse railroad, and to use the same with horses and cars, upon the terms and conditions named in said license and grant; and the doings of the said city on the sixth day of June, eighteen hundred and eighty-two, in releasing the Lewiston and Auburn Horse Railroad Company as the successors of the said George F. Mellen and his associates from further extending its railroad, upon the terms and conditions named in said release, are hereby ratified, confirmed and made valid.

Doings of the city
of Auburn, made
valid.

SECT. 2. The doings of the City of Auburn on the twenty-third day of July, eighteen hundred and eighty-one, in empowering and granting leave to George F. Mellen, his associates and assigns, to lay tracks in the streets of said city of Auburn for a horse railroad, and to use the same with horses and cars, upon the terms and conditions named in said license and grant; and the doings of the said city of Auburn, on the twenty-seventh day of May, eighteen hundred and eighty-two, in releasing the Lewiston and Auburn Horse

Railroad Company, as the successors of the said George F. Mel- CHAP. 260
 len and his associates, from further extending its railroad upon
 the terms and conditions named in said release, are hereby
 ratified, confirmed and made valid.

SECT. 3. This act shall take effect when approved.

Approved February 21, 1883.

Chapter 260.

An Act to establish a Municipal Court in the town of Dexter.

*Be it enacted by the Senate and House of Representatives
 in Legislature assembled, as follows :*

SECT. 1. There is hereby established in and for the town Dexter municipal
court established.
 of Dexter, in the county of Penobscot, a court, to be denom-
 inated the municipal court of Dexter.

SECT. 2. Said court shall be a court of record, and have Court of record,
with seal.
 a seal, to be affixed to all original processes issuing there-
 from.

SECT. 3. Said court shall consist of one judge, to be ap- Judge, appoint-
ment, term and
qualifications.
 pointed in the manner and for the term provided by the con-
 stitution, who shall be an inhabitant of the county of Penob-
 scot, of sobriety of manner, and learned in the law.

SECT. 4. Said judge shall have concurrent jurisdiction Concurrent
jurisdiction.
 with trial justices in all matters, civil or criminal, within the
 county of Penobscot, and with trial justices in all cases of
 forcible entry and detainer arising in said county. Nothing
 in this act shall be construed to give said court jurisdiction
 of any civil action in which the title to real estate, according Not to have
jurisdiction when
title to real estate
is in question.
 to the pleading or brief statement filed therein by either
 party, is in question; and all such actions brought therein
 shall be removed to the supreme judicial court, or otherwise
 disposed of, as in like cases before a trial justice.

SECT. 5. Said judge shall have original and exclusive Exclusive juris-
diction.
 jurisdiction of all offenses against the ordinances and laws of
 the town of Dexter, and in all civil actions wherein the
 amount claimed in damages shall not exceed twenty dollars,
 in which both parties interested, or the attorney of the plain-
 tiff who made the writ and the defendant, or in which the
 plaintiff or his attorney and the person or persons summoned

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Proviso.

as trustees, shall be inhabitants of or residents in said town of Dexter, and in all cases of forcible entry and detainer arising in said town, excepting all actions in which said judge may be interested; *provided*, that any action, civil or criminal, in which the judge is interested or related to either of the parties by consanguinity or affinity within the sixth degree, according to the rules of the civil law, or within the degree of second cousin, inclusive, but which would otherwise be within the exclusive jurisdiction of said court, may be brought before and disposed of by any trial justice within said county, in the same manner, and with like effect, as other actions before said trial justices.

Further jurisdiction.

SECT. 6. Said judge shall have jurisdiction in all cases of simple larceny, where the property alleged to have been stolen shall not exceed in value the sum of twenty dollars, and of all cases of cheating by false pretences, where the property, money or other thing alleged to have been fraudulently obtained shall not exceed in value the sum of twenty dollars, and shall have power to try the same, and in either of said cases, to award sentence upon conviction by fine not exceeding twenty dollars, or imprisonment in the county jail, with or without labor, for a term not exceeding ninety days. He shall have exclusive jurisdiction of all offenses arising in said town, which are by any law or statute within the jurisdiction of a trial justice and concurrent jurisdiction with trial justices of the county of Penobscot, of all such offenses arising in said county, out of said town.

Terms.

SECT. 7. Said court shall be held on the fourth Tuesday of each month, except in September, when it shall be held on the third Tuesday, at ten o'clock in the forenoon, for the transaction of civil business, at such place within said town as the judge shall determine; but the town may at any time provide a court room, in which case the court shall be held therein, and all civil processes shall be made returnable accordingly; and it may be adjourned from time to time by the judge, at his discretion, but it shall be considered in constant session for the cognizance of criminal actions; *provided*, that if said judge is prevented by any cause from attending at the time said court is to be held for civil business, it may be adjourned from day to day by a constable of the town of Dexter without detriment to any action then returnable or pending, until he can attend, when said actions may be entered or

Adjournment.

disposed of with the same effect as if it was the first day of the term; and it may be so adjourned without day when necessary, in which event, pending actions shall be considered as continued, and actions then returnable may be returned and entered at the next term, with the same effect as if originally made returnable at said term. CHAP. 260

SECT. 8. It shall be the duty of the judge of said court to make and keep the records thereof, or cause the same to be made and kept, and to perform all other duties required of similar tribunals in this state; and copies of said records, duly certified by said judge, shall be legal evidence in all courts. Duty of judge.

SECT. 9. Any party may appeal from any judgment or sentence of said court to the supreme judicial court in the same manner as from a judgment or sentence of a trial justice. Appeals.

SECT. 10. Writs and processes issued by said court shall be in the usual forms, and shall be served as like precepts are required to be served when issued by trial justices. Writs and processes, form and service.

SECT. 11. All the provisions of the statutes of the state relative to attachments of real and personal property and the levy of executions shall be applicable to actions brought in this court, and executions on judgments rendered therein; *provided*, that property may be attached in addition to the addamnum sufficient to satisfy the costs of suit. Statutes relative to attachments of property and levy of executions, applicable to court.

SECT. 12. Actions in said court shall be entered on the first day of the term, and not afterwards, except by special permission. When a defendant, legally served, fails to enter his appearance by himself or his attorney, on the first day of the return term, he shall be defaulted; but if he afterwards appear during the term, the court may, for sufficient cause, permit the default to be taken off. Pleas in abatement must be filed on or before the day of the entry of the action. The defendant may file his pleadings, which shall be the general issue, with a brief statement of special matters of defense, on the return day of the writ, and must file them on or before the first day of the next term, or he shall be defaulted, unless the court, for good cause, enlarge the time, for which it may impose reasonable terms. Actions in which the defendant files his pleadings on the return day, and all actions of forcible entry and detainer seasonably answered to, shall be in order for trial at the return term, and shall remain so until tried or Entry of actions, and proceedings.

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otherwise disposed of, unless continued by consent or on motion of either party for good cause, in which latter case the court may impose such terms as it deems reasonable; but all other actions, unless defaulted or otherwise finally disposed of, shall be continued as of course, and be in order for trial at the next term.

Costs and fees to parties, attorneys and witnesses, how regulated.

SECT. 13. The costs and fees allowed to parties, attorneys and witnesses in said court shall be the same as allowed by trial justices in actions before them, except that the plaintiff, if he prevail, shall be allowed one dollar for his writ; and the defendant, if he prevail, one dollar for his pleadings.

Fees of judge.

SECT. 14. The judge of said court may demand and receive the same fees allowed to trial justices for like services, except that he may demand and receive for a complaint and warrant in criminal cases, one dollar; for the entry of a civil action, fifty cents; and for the trial of an issue, civil or criminal, two dollars for the first day and one dollar for each day after the first occupied in such trial, to be paid to him by the plaintiff in civil cases, before trial, who shall recover the same as costs if he prevail in the suit; and the fees so received by said judge shall be payment in full for his services; *provided*, that the legal voters of said town may, at any time, by vote, determine to pay him a salary, which may be accepted by him instead of said fees, in which case he shall pay all fees of office by him received into the town treasury.

Provided.

Jurisdiction of trial justices restricted.

SECT. 15. Trial justices are hereby restricted from exercising any jurisdiction in the town of Dexter over any matter or thing, civil or criminal, except such as are within the jurisdiction of justices of the peace and of the quorum, and except that they may issue warrants on complaints for criminal offenses, to be returned before said municipal court; *provided*, that said restrictions shall be suspended until the judge of said court shall enter upon the duties of his office.

Provided

Not to effect pending actions.

SECT. 16. Nothing in this act shall be construed to interfere with actions already commenced before trial justices in the town of Dexter, but all such actions shall be disposed of by such trial justices, the same as if this act had not passed.

SECT. 17. This act shall take effect when approved.

Approved February 24, 1883.

Chapter 261.**CHAP. 261**

An Act to make valid and legal the organization and subsequent meetings of the Dirigo Shovel Handle Company, of Farmington, Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The organization of the Dirigo Shovel Handle Company, of Farmington, Maine, and the records and doings of said company, at all its subsequent meetings, are hereby ratified and made legal and valid.

Doings of Dirigo
Shovel Handle
Co. made valid.

SECT. 2. This act shall take effect when approved.

Approved February 24, 1883.

Chapter 262.

An Act additional to "An Act to incorporate the Penobscot Log Driving Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The Penobscot Log Driving Company may build and maintain a dam across the outlet of each of the lakes Cauquomgomoc, in the county of Piscataquis, and Millinocket, in the county of Penobscot, to raise a head of water on each of said lakes for log driving purposes only. Said corporation may take land on which to build each of said dams, and may flow contiguous lands. For land taken, and for land flowed, the parties may agree upon the damages, but if the damages are not mutually adjusted, the owner, or party injured, may be compensated in full by the payment of such sums as may be determined by the commissioners to be appointed by the supreme judicial court in and for the county where the land is situate, on the petition of either party, their return being made to said court, and duly accepted, no other remedy for either of said causes shall be sustained, but either party may object to such report and demand a trial by jury, and thereupon a trial by jury shall be had in said court, and the court may enter up such judgment as law and justice may require, and said judgment shall be paid by said corporation, within six months from the time of its rendition, and if not so paid, all powers and privileges given by this act are void.

Company authorized to build dam.

—may take land.

Land damages, how adjusted.

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Cost of dams, and
damages, how
paid.

SECT. 2. The said corporation may be reimbursed for the expense of building said dams and paying such damages, with interest, by assessment upon the whole drive of logs, according to the charter of said corporation and amendments thereto. The expense, damages and interest may be assessed, not upon one drive of logs, but upon several drives of logs, according to the discretion of the directors of said corporation, extending the time for said reimbursement over as many years as said directors may deem proper.

Tolls established.

SECT. 3. The said corporation may demand and receive a toll of six cents for each thousand feet, board measure, boom scale, on logs that may pass over the dam of said corporation at the outlet of said Millinocket lake. The owners of such logs may have the use of said head of water raised by the said dam to drive their logs to Shad pond. A lien is hereby created on such logs for the payment of the toll, but the logs of each particular mark shall only be holden for the toll of such mark. The toll may be added to the assessment for driving such logs from Shad pond to the boom. The dam shall not exceed in height that of some one of former dams erected at or near the outlet of said Millinocket lake, nor raise a higher head of water on said lake.

Lien for payment
of tolls.

Dam not to
exceed certain
height.

Owners of logs
that hereafter
come into lake to
have use of dam.

SECT. 4. The owners of logs that may hereafter come into Cauquomgomoc lake, shall have the reasonable use of the dam and head of water on said lake to drive their logs to Chesuncook lake. Said head of water may flow up Scott brook and Loon stream, so called, and make dead water in said brook and Loon stream, and delay driving logs down said brook and Loon stream and in such case the owners of logs being driven down said brook, may put up the gates of said dam to aid in driving their logs down said brook into said lake.

SECT. 5. This act shall take effect when approved.

Approved February 24, 1883.

Chapter 263.**CHAP. 263**

An Act to incorporate the Carrabassett Land and Lumber Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Samuel G. Snelling, Samuel W. Rodman, Samuel W. Sargent, Charles W. Rand, with their associates and successors, are hereby constituted a body politic and corporate, by the name of the Carrabassett Land and Lumber Company, with all the powers and privileges, and subject to all the duties and liabilities of manufacturing corporations, as defined by the general laws of this state.

Corporators.

Corporate name.

SECT. 2. The said company may, on the Carrabassett river and on the Kennebec river, at and below Anson, erect mills, maintain side booms, not interfering thereby with navigation, or any rights heretofore granted, and carry on in all its branches the cutting, driving and manufacture of lumber, and to that end they are authorized to purchase, hold and sell lands and other property in Franklin and Somerset counties, in this state, and to remove rocks, trees and other natural obstructions from the bed of the Carrabassett river.

Authorized to erect mills, &c.

SECT. 3. The said Carrabassett Land and Lumber Company may have and maintain a capital stock not to exceed five hundred thousand dollars, to be divided into shares of one hundred dollars each, the number of which may be determined and fixed by the directors of said company, from time to time, at meetings called for that purpose ; and said capital stock may be invested in real and personal property, in such proportions as the directors of said company may determine.

Capital stock.

—how invested.

SECT. 4. The said Carrabassett Land and Lumber Company, may, upon being authorized by a majority of the votes at a meeting of its stockholders, called for the purpose, issue bonds in sums of not less than five hundred dollars each, payable at periods not exceeding ten years from the date thereof, and bearing interest not exceeding seven per cent a year, payable annually or semi-annually, to an amount not exceeding sixty thousand dollars, and may mortgage its property, real and personal, to secure the payment of any bonds so issued, and interest thereon.

May issue bonds.

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Shall keep an
office in this state.

SECT. 5. The said company shall keep, at some place in this state, a clerk's office containing their records and books for the inspection of persons interested.

SECT. 6. This act shall take effect when approved.

Approved February 26, 1883.

Chapter 264.

An Act to incorporate the Southport and Boothbay Bridge Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Freeman Orne, Sumner Orne, Zina H. Orne, Marston Thompson, Cyrus A. Thompson, C. C. Thompson and Robert Westman, their associates, successors and assigns, are hereby made and created a body corporate, by the name of the Southport and Boothbay Bridge Company, with all the powers and privileges granted, and subject to all the liabilities and duties imposed by the laws of this state.

Corporate name.

Powers.

SECT. 2. Said corporation may have a common seal, may make any by-laws for the management of its business, not repugnant to the laws of the state, and at any legal meeting, may choose, by ballot, a treasurer, secretary and not less than three directors, and all other necessary officers for the transaction of its business, by a majority of the votes of the proprietors present, allowing one vote for each share.

Authorized to
erect a toll-
bridge.

SECT. 3. Said corporation is hereby authorized to erect and maintain a toll-bridge across Townsend Gut, so called, to connect the town of Boothbay with the island town of Southport, both in the county of Lincoln. Said bridge is to be erected across said tide waters, from a point on the bank of said Gut, near the residence of Cyrus A. Thompson, in said Southport, and extending across said tide waters, to a point on the opposite bank, near the residence of Joseph McKown, in said Boothbay. Said bridge shall be built of suitable material, in a staunch and strong manner, shall not be less than twenty-three feet wide, with suitable rails on each side for the safety of passengers and travelers, and with a convenient draw, for the passage of vessels and boats, at least

Location.

forty feet wide, with suitable and proper piers on both sides the bridge, on the side of the passage upon which the draw swings. Said draw shall be properly constructed and secured so that vessels and boats may not be unnecessarily detained, and said draw shall be opened at all times, when requested, for said vessels and boats to pass and repass, without paying toll.

SECT. 4. A toll for the use and benefit of said corporation is hereby granted and established to be changed by the corporation at a legal meeting thereof, but shall in no case exceed the following rates, viz: for each foot passenger, five cents; one person and horse, fifteen cents; single horse team, twenty cents; each team including cart, wagon, sled or sleigh, drawn by two horses or oxen, twenty-five cents, and for every additional beast, ten cents; for four wheeled pleasure carriages with two horses, thirty-five cents, and for every additional horse, ten cents, when carriage contains more than two persons, all above that number pay five cents each; neat cattle and beasts of burden, exclusive of those rode upon or in carriages, five cents each; for sheep and swine, three cents each, and when more than twelve in drove together, one driver to go free. The rates of toll established and adopted shall be fairly and legibly printed in large or capital letters and kept constantly exposed to the view of passengers, and charges for tolls shall commence when the bridge is completed and above notice is posted. The corporation may commute the tolls by an agreement with any person or persons, taking therefor a special sum for a given time or number of passages.

Tolls established.

SECT. 5. Any two of the persons named in this act are authorized to call the first meeting of said corporation by giving to each of the incorporators written notice, stating time and place of meeting, or by publishing such notice in the Boothbay Register, a newspaper printed in Boothbay, notice in each case to be at least seven days before the time set for said meeting.

First meeting,
how called.

SECT. 6. This corporation is not formed under the general law for the reason that its objects could not be thereby attained.

Reason for grant-
ing charter.

SECT. 7. This act shall take effect when approved.

Approved February 26, 1883.

CHAP. 265**Chapter 265.**

An Act to amend the charter of the City of Belfast.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 5. ch. 363,
special laws 1850,
amended.

SECT. 1. That section five of chapter three hundred and sixty-three, of the special laws of eighteen hundred and fifty, be amended, by striking out the word "majority," where it occurs in said section, and by substituting therefor, the words 'two-thirds,' so that said section, as amended, will read as follows :

Acts appropriating money to be presented to the mayor for approval.

Proceedings, if he disapprove.

'SECT. 5. Every law, act, ordinance or bill appropriating money, having passed both branches of the city council, shall be presented to the mayor of the city ; and if he approve the same, he shall sign it ; if not, he shall return it, in seven days, with his objections, to that branch of the city council, in which it shall have originated, which branch shall enter the objections at large on its journals, and proceed to reconsider said law, act, ordinance or bill. If, upon such reconsideration, two-thirds of the whole number of that branch shall agree to pass it, it shall be sent, together with the objections, to the other branch, by which it shall be reconsidered, and, if approved by two-thirds of the whole number of that branch, it shall have the same effect as if signed by the mayor.'

SECT. 2. This act shall take effect when approved.

Approved February 26, 1883.

Chapter 266.

An Act to incorporate the Harrison and Bridgton Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Philander Tolman, Caleb A. Chaplin, Franklin Walker, Orlando A. Kneeland, Thomas D. Emery, Marshall Jordan, William V. Carsley, Charles F. Ricker, Alvin P. Ricker, John W. Caswell, Edward K. Whitney, Edward Bray and Samuel H. Dawes, their associates, successors and assigns, are hereby created a body politic by the name of the Harrison and Bridgton Telegraph Company, with all the rights and privileges and subject to all the duties provided by the gen-

Corporate name.

Powers and duties.

eral laws of this state relating to corporations, with power by that name to sue and be sued, to have and use a common seal, to establish all by-laws and regulations for the management of its affairs not repugnant to the laws of this state, and to do any and all lawful acts incident to similar corporations.

SECT. 2. Said corporation is hereby authorized to own, construct, maintain and operate a line or lines of telegraph or telephone, and to change from either to the other as said corporation may determine, from Bolster's Mills in said town of Harrison, through Harrison village, to any point in the town of Bridgton, or upon any part of said route upon and along any public highway or bridge, but in such manner as not to incommode or endanger the customary public use thereof, and said corporation may cut any trees standing within the limits of any highway, except ornamental or shade trees, when necessary for the erection, use or safety of its lines.

Company authorized to construct telegraph and telephone lines.

Route.

SECT. 3. The capital stock of said company shall be of such amount, not exceeding five thousand dollars, as they may from time to time determine to be necessary for the sole purpose of owning, constructing, maintaining and operating the line or lines of telegraph or telephone hereby authorized and contemplated, and they may purchase, hold and dispose of such personal and real estate as may be necessary for these purposes.

Capital stock.

SECT. 4. This company shall have power, by agreement with other persons or person, or bodies corporate, to connect their lines with other lines of telegraph or telephone within and without the state.

Authorized to connect with other lines without the state.

SECT. 5. Any two persons named in this act of incorporation may call the first meeting of the company, by giving written and seasonable notice thereof to each of their associates.

First meeting, how called.

SECT. 6. This act shall take effect when approved.

Approved February 26, 1883.

CHAP. 267**Chapter 267.**

An Act to change the name of The Mercantile Home for Aged Men Association of Portland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name of association changed.

The name of The Mercantile Home for Aged Men Association of Portland, is hereby changed to Home for Aged Men.

Approved February 26, 1883.

Chapter 268.

An Act to supply the people of Fryeburg Village with pure water.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. D. L. Lamson, William G. Spring, F. Y. Bradley, A. R. Jenness, David R. Hastings, Seth W. Fife, Otis Warren, Eben Weeks, John Weston, T. C. Shirley, Charles Tibbetts, C. H. Tibbetts, C. W. Pike, Daniel Carlton, Frank Wiley, W. C. Towle, S. J. Bradley, S. A. Page, W. Souther, E. E. Hastings, John Locke, C. R. Locke, J. Ward, S. E. Ward, T. L. Eastman, F. E. House, R. Atwood, A. B. Walker, G. Walker, J. Smith, R. Wiley, G. Morgan, W. H. Tarbox, with their associates and successors, are hereby made a corporation by the name of the Fryeburg Water Company, for the purpose of conveying to the village of Fryeburg and vicinity, a supply of pure water for domestic and other purposes.

Corporate name.

Company may hold real and personal estate.

SECT. 2. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount ten thousand dollars.

Damages, how assessed.

SECT. 3. Said corporation shall be liable to pay all damages that shall be sustained by any person or persons in their property, by the taking of any land, or excavating through any land, for the purpose of laying down or constructing reservoirs, and if any person sustaining damage as aforesaid, and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damage to be assessed in the manner and under the same conditions,

restrictions and limitations as are by law prescribed in case of CHAP. 268
damage by laying out highways.

SECT. 4. The capital stock shall not exceed twenty thousand dollars, and shall be divided into shares of one hundred dollars each. Said capital stock shall be applied exclusively, to the supply and distribution of water for the purposes set forth in this act. Capital stock.

SECT. 5. Nothing in this act shall be construed to affect or diminish the liability of said corporation for any injury to private property, by depreciating the value thereof, or otherwise, but said corporation shall be liable therefor in an action on the case. Liability for depreciation of private property.

SECT. 6. The said company is hereby authorized to lay down in and through the streets of the village of Fryeburg, or its surroundings, in the town of Fryeburg, and to take up, replace and repair all such pipes, aqueducts and fixtures as may be necessary for the objects of its corporation, first having obtained the consent of the selectmen of said town therefor, and under such restrictions and regulations as said selectmen may see fit to prescribe; and any obstruction in any street of said village, or taking up or displacement of any portion of the street without the consent of the selectmen, or contrary to the rules prescribed herein, shall be considered a nuisance, and said company shall be liable to indictment therefor, and to all the provisions of law applicable thereto. And said company shall in all cases be obliged to repay to said town all sums of money that said town shall be obliged to pay on any judgment recovered against said town for damages occasioned by any obstructions or taking up or displacement of any street by said company without consent of said town, together with counsel fees and costs made in defending any suit for damages as aforesaid, with interest on the same, to be recovered in an action for money paid to the use of said company. Authorized to lay pipes and aqueducts.

SECT. 7. Whenever the company shall lay down any pipes or aqueducts in any street, or make any alterations or repairs upon its works in any street, they shall cause the same to be done with as little obstruction to the public travel as may be practicable, and replace in proper condition, the earth removed by them. They shall not in any way impair or obstruct any public or private drain. Liability for obstructing streets, etc.

Company not to obstruct public travel or impair private drains.

CHAP. 269

Penalty for injury
to property or
corrupting waters
of company.

SECT. 8. Any person who shall maliciously injure any of the property of said company, or who shall corrupt the waters or render them in any manner impure, or who shall wilfully destroy or injure any dam or reservoir, aqueducts or pipes or other property held and used by said corporation for the purposes of this act, shall pay three times the amount of damage to said company, to be recovered in any proper action, and every such person, on conviction thereof, of either of said acts, shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding six months.

First meeting,
how called.

SECT. 9. The first meeting of said corporation may be called by written notice signed by two of the corporators and posted conspicuously in two or more public places in said village five days before the time fixed for said meeting.

SECT. 10. This act shall take effect when approved.

Approved February 26, 1883.

Chapter 269.

An Act to prohibit the taking of fish from Bunganeaut Pond, in the towns of Alfred and Lyman.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Close time for
fish in Bungan-
neaut pond.

SECT. 1. All persons are hereby prohibited from taking or catching any fish from Bunganeaut pond, situated in the towns of Alfred and Lyman, in the county of York, from the first day of November, to the first day of June following, in each year, for the term of three years.

Penalty for
violation of this
act.

SECT. 2. Any person convicted of violating the provisions of this act, shall be fined ten dollars and costs of prosecution, for each violation, to be recovered before any trial justice in said county, one-half of said fine to the use of the complainant, and the other half to said towns of Alfred and Lyman, in equal shares.

Approved February 26, 1883.

Chapter 270.**CHAP. 270**

An Act to provide for the navigation, by steam, of Moose river, Long Pond, Wood Pond and Attien Pond.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Omar Clark, his associates and assigns, are hereby authorized to improve the navigation of Moose river, Long pond, Wood pond and Attien pond, and for that purpose are authorized to deepen the channel thereof or any part of it, and to remove any obstructions in the bed of said river or any part of said ponds or either of them and to erect upon the shore of said river or ponds, suitable locks, dams, piers and abutments with other erections to protect the same, and to build upon the shore or banks of said river, any canal or canals to connect the navigable parts of said river or for the purpose of passing any bridge or bridges now or hereafter erected over said river, said canals or erections being constructed in such a manner as not unreasonably to interfere with the rights of the public in regard to maintaining and using a public way or with other public rights.

Omar Clark et al. authorized to improve the navigation of certain ponds.

—erect locks, dams, piers, etc.

SECT. 2. They are authorized to take and hold so much land along the banks of said river or the shore of said ponds or in the bed thereof as may be necessary for the location, construction and repairs of their aforesaid improvements, and to take and use the gravel, stone and earth upon the land so taken, and the damage for the real estate so taken, when not agreed upon by the parties, shall be ascertained and determined by the county commissioners of Somerset county, under the same limitations as are by law provided in case of damage by laying out highways; and any damage created by any dam erected for the above specified purpose shall be ascertained and determined in the same manner as is provided for flowage created by mill-dams, *provided*, that no claims for damage shall be made after two years from the time of the alleged injury.

Authorized to take land for certain purposes.

Land damages, how determined.

SECT. 3. The above grant is upon the condition, that the said Omar Clark, his associates and assigns, shall, within three years from the date hereof, improve the navigation between the southerly part of Attien pond and the easterly part of Long pond, and shall build and run over said route, a steamboat.

Conditions of charter.

CHAP. 271

Sole right to
navigate ponds
granted, if condi-
tions are complied
with.

Proviso.

SECT. 4. If said Omar Clark, his associates and assigns, shall perform the conditions of this grant as contained in the last preceding section, the sole right of navigating said river and ponds by boats propelled by steam, from the southerly part of Attien pond, to the northeasterly point of Long pond, being about twenty-two miles, is hereby granted to said Clark and his associates and assigns, for the term of twenty years from and after the improvement, as provided in the third section of this act, *provided, however*, that the said Omar Clark, his associates and assigns, in the exercise of said right of navigation, or in the erection of works to promote the same, shall not obstruct the running of any logs, rafts or lumber down said river, or in said ponds which are usually driven or floated therein.

Approved February 26, 1883.

Chapter 271.

An Act to change the names of certain persons.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Names changed.

That the names of the following persons be and are hereby changed as follows, viz:—the name of Frederick William Knight be changed to the name of William Fogg. The name of William B. Gross be changed to the name of William B. Groves. The name of Louigi Sharz be changed to the name of Lewis Weeks. The name of Fred S. Furbish be changed to the name of Fred Royce Fife. The name of Samuel Byron Harrison be changed to the name of Samuel Watson Harrison.

Approved February 26, 1883.

Chapter 272.**CHAP. 272**

An Act to authorize Frank P. Emerson to build a dam and convey water by aqueduct or canal, in the town of York.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Frank P. Emerson, his heirs and assigns are hereby authorized to dam the waters of Pickerings creek, in the town of York, to a point not exceeding two feet above extreme high water mark, and convey the waters of the same, by canal or aqueduct, to the Barrell mill-pond in said York.

Frank P. Emerson et. als. authorized to erect dam.

SECT. 2. All persons or corporations who shall sustain any damages in consequence of the flowage of water in said Pickerings pond, or by the conveyance of the waters of the same, by canal or aqueduct, to the said Barrell's pond, shall receive a fair and equitable compensation therefor ; and if any person sustaining damages as aforesaid, and said Frank P. Emerson, shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be assessed in the same manner and under the same conditions and limitations as are by law provided in the case of damages by the laying out of public highways.

Damages, how assessed.

SECT. 3. This act shall take effect when approved.

Approved February 26, 1883.

Chapter 273.

An Act to authorize James M. West to erect and maintain a fish weir in tide waters at Dyers Bay, in Steuben.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

James M. West is hereby authorized to erect and maintain a fish weir in the middle ground, so called, in tide waters at Dyers Bay, in Steuben, provided said fish weir shall not obstruct navigation nor interfere with the rights of others.

James M. West authorized to erect and maintain fish weir in Steuben.

Approved February 27, 1883.

CHAP. 274**Chapter 274.**

An Act to authorize Handy Leighton to erect and maintain fish weirs in front of his shore in tide waters.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Handy Leighton
authorized to
erect fish weirs
in Steuben.

Handy Leighton is hereby authorized to erect and maintain fish weirs in tide waters on his shore and lot known as Eagle Hill or Schooner Point lot, in Steuben, and to extend the same below low water mark, provided said fish weirs shall not obstruct navigation nor interfere with the rights of others.

Approved February 27, 1883.

Chapter 275.

An Act to make valid the doings of the members of the first Congregational Parish, in the town of York, in remodeling and repairing their house of worship.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of First
Congregational
Parish of York,
legalized.

The doings of the members of the First Congregational Parish, in the town of York, in remodeling and repairing their house of worship, during the years eighteen hundred and eighty-one and eighteen hundred and eighty-two, and also their doings in raising money for defraying the expenses of said remodeling and repairs, and in the sale of the pews in said house of worship, are hereby confirmed and made valid.

Approved February 27, 1883.

Chapter 276.

An Act to authorize Mary W. Look and another to erect and maintain fish weirs in front of their shore in tide waters.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Mary W. and
Carrie C. Look
authorized to
erect fish weirs in
Addison.

Mary W. Look and Carrie C. Look are hereby authorized to erect and maintain fish weirs in tide waters on their shore in Addison, and to extend the same below low water mark, provided said fish weirs shall not obstruct navigation nor interfere with the rights of others.

Approved February 27, 1883.

Chapter 277.

CHAP. 277

An Act to authorize the sale of an interest in the Center Meeting House in Farmington.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The proprietors of the Center Meeting House, in Farmington, are hereby empowered to sell and convey, by deed executed by their treasurer, all their interest in said building and the lot of land occupied by it, and bounded westerly and northerly by Main and Anson streets, easterly by the cemetery, and southerly by the right of way from said Main street to said cemetery.

Owners of Center Meeting House, Farmington, authorized to sell interest in said building.

Approved February 27, 1883.

Chapter 278.

An Act to confirm and make valid the organization of the Lewiston and Auburn Horse Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The organization of the Lewiston and Auburn Horse Railroad Company, under the general railroad law of the state, as recorded in the records of corporations in the office of the secretary of state, volume four, pages sixty-six to seventy, inclusive, is hereby confirmed and made valid; and said company is hereby declared to be a corporation for the purposes therein specified.

Organization of Lewiston and Auburn Horse R. R. Co., confirmed.

SECT. 2. Nothing in this act shall affect any pending litigation.

SECT. 3. This act shall take effect when approved.

Approved February 28, 1883.

Chapter 279.

An Act to amend and make valid the organization of the Bodwell Water Power Company, and for other purposes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Bodwell Water Power Company authorised to increase its capital stock.

SECT. 1. The Bodwell Water Power Company is hereby authorized to increase its capital stock not to exceed in the whole the sum of one million dollars, to be divided into shares of one hundred dollars each.

Authorised to cut canals and create water power.

SECT. 2. Said corporation is hereby authorized to cut a canal from some point flowed by the Penobscot river, in the low state of water thereof, north of the location of the Bangor, Oldtown and Milford railroad bridge ; thence southerly, along the easterly part of Marsh island in Oldtown, to the present southerly line of the land now owned by said corporation ; thence to Penobscot river ; also a canal from some point flowed by the Penobscot river, in the low state of water thereof, at or near Johnson's island ; thence southerly, along the east bank of Penobscot river in Milford, to the southerly line of the Cousins property, so called ; thence to Penobscot river ; and by said canals to create a water power to use or sell or lease to other persons or corporations to use for manufacturing purposes ; and for the purposes of constructing said canals, may take, occupy and enclose any of the lands adjoining such canals which may be necessary for building or repairing the same and other necessary purposes, on each side thereof, and may blow up and remove any rocks in said river, and dig any of the land near to said river through which it may be necessary to pass said canals.

May take lands.

Damages, how ascertained.

SECT. 3. Any person who shall be damaged in his property by said corporation in cutting or making said canals through his lands or by flowing the same or in any other way, in carrying into effect the powers hereby granted, unless said corporation shall within thirty days after request in writing, pay or tender to said person reasonable satisfaction therefor, shall have the same remedies as are provided by law in case of damages by railroad corporations, in the fifty-first chapter of the revised statutes.

Authorised to take any highway for purpose of constructing canals.

SECT. 4. Said corporation is hereby authorized and empowered to take and use any way or highway in said Oldtown and Milford for the purpose of constructing and maintaining

said canals; *provided*, that the inhabitants of said towns shall so vote at any legal town meeting. CHAP. 279

Proviso.

SECT. 5. If there shall be occasion in the prosecution of the powers and purposes aforesaid to make a canal across any public highway or way, or if highways or ways shall hereafter be laid out across said canals, it shall be the duty of said corporation to make sufficient bridges across said canals and to keep them in good repair.

Duty to build bridges when necessary.

SECT. 6. Said corporation is authorized and empowered to take water from Penobscot river sufficient for domestic, sanitary and municipal purposes in said Oldtown and Milford, including a sufficient quantity for extinguishing fires and the supply of hotels, livery stables and laundries within said towns.

Authorized to take water for domestic and other purposes.

SECT. 7. Said corporation is authorized for the purpose aforesaid to take and convey through said towns and to all parts thereof the water of Penobscot river, by an aqueduct or pipe sunk to any depth desirable for the purpose; and may also take and hold by purchase or otherwise any land necessary for laying and maintaining pipes, aqueducts, locks, gates, dams, hydrants and reservoirs for taking, conducting, holding, discharging and distributing water; also to dig up and excavate any highway and fill the same under the direction of the municipal officers of the town wherein such highway may be located.

Authorized to lay pipes.

May take lands by purchase, etc.

SECT. 8. Whoever shall in any way wilfully pollute the water of said river within the limits of the towns of Oldtown or Milford, whether frozen or not, after said corporation shall have commenced taking the same, and whoever shall wilfully injure any of the works of said corporation, shall be punished by imprisonment not over two years, or by fine not exceeding one thousand dollars, and shall be liable for an action for damages.

Penalty for pollution of waters or injury to property of company.

SECT. 9. All damages sustained by any persons in their property by taking any land for pipes, aqueducts, locks or other structures, shall be determined and assessed in the manner provided in section three of this act.

Damages, how assessed.

SECT. 10. Said corporation is authorized and empowered to manufacture in said Oldtown and Milford, steam for heating, sufficient for domestic purposes in said towns, including a sufficient quantity for the supply of hotels, shops, stores,

Authorized to manufacture steam for heating.

CHAP. 279

factories, stables, laundries, public buildings, within said towns, and may purchase and hold real and personal estate necessary for the purposes of carrying out the provisions of this section, and may tax parties such reasonable sums for steam supplied by it as it may deem proper.

May lay pipes in public streets.

SECT. 11. Said corporation is hereby authorized to lay down and through the public streets and highways of said towns, and to take up, replace and repair all such pipes and fixtures as may be necessary for the objects herein set forth, the consent of the municipal officers of said town in which the same are so laid having been first obtained, and under such regulations as they may prescribe, and shall be liable to pay all damages that shall be sustained by any person or corporation in their property by the taking of any land or by excavating through any land for the purpose of laying down and repairing its pipes and fixtures; and if any person or corporation sustaining damages as aforesaid shall not agree with this company in the adjustment thereof, such damages shall be determined and assessed in the manner provided in section three of this act.

Liability for damages.

Authorized to erect a dam at Oldtown falls.

SECT. 12. Said corporation is hereby authorized and empowered to erect and maintain a dam at the Oldtown falls across Penobscot river, between Oldtown and Milford, sufficient to level up said falls to the highest point of Johnson's rock in said falls; *provided*, that a sluice shall be constructed and maintained through said dam and falls at some place between Oldtown and Milford, of sufficient capacity and size to accommodate the running of logs and rafts over said falls by the public; said sluice is to be constructed and maintained to the satisfaction of a committee to be appointed by any justice of the supreme judicial court of this state who shall make report to said court, and said court may accept or reject or modify said report after notice and upon hearing of parties interested, and said court shall, upon petition of any party interested, upon reasonable notice and hearing, at any time, determine what changes shall be made in said sluice or dam and have the right to determine all questions of costs, and power is hereby specially conferred upon said court for this purpose.

Proviso.

Authorized to construct a dam across Stillwater branch.

And said corporation shall also have the right to construct and maintain a dam across the Stillwater branch of Penobscot river, and take and occupy land therefor, damages therefor

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to be assessed as provided in section three of this act, between the head of the island, below Pushaw bridge and the southerly end of Orono island, of a sufficient height to hold the reserve of water caused by the leveling up of the falls authorized in this act, and to prevent said reserve or excess from flowing down said Stillwater branch; but said dam shall not be constructed any higher than sufficient to hold said reserve, nor in any manner or degree to interfere with or prevent the natural flow of water down said Stillwater branch of Penobscot river; *provided*, said corporation shall construct and maintain a suitable sluice-way in said dam and on said Stillwater branch for the passage of logs and lumber; *also provided*, that said corporation shall, before constructing said dams, ascertain under the supervision and direction of some competent hydraulic engineer, to be appointed by the supreme judicial court for Penobscot county, the exact amount of water passing down said Stillwater branch from the main Penobscot river at different stages of water during summer drouth, while both Oldtown falls and said Stillwater branch are in their natural flow and condition, and if the dam and sluice so constructed do not accomplish the purpose of this act, then any justice of said court at any time or from time to time, on the application of either party and a hearing of the parties interested, shall regulate the height of said dam and the location and dimensions of said sluice, and his decision shall be final, with power to award and apportion the costs and expenses of said hearing in such manner as he may determine; *and provided further*, that all damages sustained by any person by reason of said dam on said Stillwater branch may be determined by any justice of said court upon petition of the party claiming damages, after notice and hearing of the parties interested, said court having power to apportion and award costs as it may see fit, and power is hereby specially conferred upon said court for this purpose.

SECT. 13. The proceedings in the organization of said corporation are hereby confirmed and made valid. The said corporation shall not draw water through its canal or canals, mills or dams, so that the natural flow of the water of the Penobscot river over Oldtown falls and below or through any sluice erected and maintained under this act, shall be interrupted, when said natural flow of said water over said falls

Damages, how assessed.

Dam not to prevent the natural flow of water.

Sluice-way provided for.

Justice of S. J. court to regulate height of dam, etc.

—may determine questions of damages.

Organisation made valid.

Natural flow of water in Penobscot river not to be interrupted.

CHAP. 280

Purity of water
not to be inter-
fered with.

Authorized to
issue bonds.

may be necessary to float logs, rafts and lumber over said falls, or through said sluice, and below the same, provided, always, that said corporation, its successors and assigns, shall never use its rights and powers for manufacturing purposes or otherwise, which shall tend in any manner to affect the rights and powers of the city of Bangor, to pure water for domestic and sanitary purposes, under chapter two hundred and fifty-nine of the laws of eighteen hundred and seventy-six, entitled "An Act to amend An Act, approved February twenty-two, eighteen hundred and seventy-five, for supplying the city of Bangor with water."

SECT. 14. For the purpose of carrying out the foregoing provisions, or either of them, said corporation is hereby authorized to issue its bonds in such form and on such time and manner as it may determine and secure the same by mortgage of its property and franchise.

SECT. 15. This act shall take effect when approved.

Approved February 28, 1883.

Chapter 280.

An Act to prevent the use of rafts or floats in fishing for smelts in Bagaduce river.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Use of rafts or
floats in fishing
for smelts in
Bagaduce river,
prohibited.
Penalty.

The use of rafts or floats in fishing for smelts in Bagaduce river is hereby prohibited under a penalty of not less than five dollars nor more than twenty dollars for each person so using such rafts or floats, said penalty to be collected by complaint before any trial justice, one half to the complainant and one-half to the county.

Approved February 28, 1883.

Chapter 281.

CHAP. 281

An Act to incorporate the city of Waterville.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The inhabitants of the town of Waterville, in the county of Kennebec, shall continue to be a body politic and corporate by the name of the city of Waterville, and as such shall have, exercise and enjoy all the rights, immunities, powers, privileges and franchises, and be subject to all the duties and obligations now appertaining to or incumbent upon said town as a municipal corporation, or appertaining to or incumbent upon the inhabitants or selectmen thereof; and may ordain and publish such acts, laws and regulations, not inconsistent with the constitution and laws of this state, as shall be needful to the good order of said body politic; and impose fines and penalties for the breach thereof not exceeding twenty dollars for any one offense, which may be recovered to the use of said city, by action of debt, or on complaint before the municipal court in said city.

Corporate name.

Rights, powers and privileges.

May ordain laws and regulations.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate, to be styled the mayor; and one council of seven, to be denominated the board of aldermen; all of whom shall be inhabitants of said city; which board shall constitute and be called the city council; all of whom shall be sworn to the faithful performance of the duties of their respective offices; *provided*, the board of aldermen shall not vote, assess or appropriate any money for any object or purpose for which the town of Waterville is not authorized to vote, assess and appropriate money, except for such purposes as are authorized by this act. *And provided further*, that neither the board of aldermen nor any agent or officer for the city shall borrow or hire money for or on account of the city or inhabitants thereof, except for the purposes for which the town of Waterville is now by law authorized to raise money; and all notes, bonds, obligations, scrip or orders given by the city council or any officer or agent thereof, for money or property obtained for any other purpose, shall be void except those negotiable and in the hands of a bona-fide holder for value.

Municipal affairs vested in mayor and aldermen.

Proviso.

Authority of officers or agents to borrow money, limited.

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Duties and powers of mayor.

Special meetings of aldermen.

Salary fixed.

Proviso.

Aldermen not to receive compensation.

Powers vested in mayor and aldermen.

Duties of aldermen.

Election, duties and compensation of subordinate officers.

SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws and regulations of the city to be executed and enforced, to exercise a general supervision over the conduct of all subordinate officers, and to cause their violations or neglect of duty to be punished. He may call special meetings of the board of aldermen when, in his opinion, the interest of the city requires it, by a notice in one or more of the papers printed in the city, or by causing a summons or notification to be given in hand or left at the usual dwelling place of each member of the board to be convened. He shall, from time to time, communicate to the board of aldermen such information and recommend such measures as the business and interests of the city may, in his opinion, require. He shall preside in the board of aldermen, but shall have only a casting vote. The salary and compensation of the mayor shall be two hundred dollars per year, which shall not be increased or diminished during his continuance in office, unless by the vote of the qualified electors in ward meetings called for that purpose, nor shall he receive from the city any other compensation for any services by him rendered in any other capacity or agency; *provided, however*, the board of aldermen may elect the mayor to any city office, and allow him a reasonable compensation for services rendered in such office; but the aldermen shall not receive any salary or compensation for any services by them performed as such, nor shall they be eligible to any other city office.

SECT. 4. The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Waterville, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; all other powers now vested in the inhabitants of said town, and all powers granted by this act, shall be vested in the mayor and aldermen of said city. The board of aldermen shall, annually, on the third Monday in March, or as soon thereafter as may be convenient, elect, and appoint for the ensuing year, all the subordinate officers and agents for the city, including a chief engineer, and other necessary engineers of the fire department, which chief engineer, and, in his absence, the subordinate engineers, shall have all the power and authority that firewards now have; shall define

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their duties, fix their compensation, and may, by vote, remove officers when, in their opinion, sufficient cause for their removal exists. All officers shall be chosen and vacancies supplied, for the current year, except as herein otherwise provided. All the said subordinate officers and agents shall hold their offices during the ensuing year, and till others shall be elected and qualified in their stead, unless sooner removed by the board of aldermen; and all moneys received and collected for and on account of the city, by any officer or agent thereof, shall forthwith be paid into the city treasury. The board of aldermen shall take care that moneys shall not be paid from the treasury unless granted or appropriated; shall secure a prompt and just accountability by requiring bonds with sufficient penalties and sureties, from all persons trusted with the receipt or custody of the public money; shall have the care and superintendence of the city public buildings, and the custody and management of all the city property, with powers to let or sell what may be legally let or sold; and to purchase, in the name of the city, such real or personal property, not exceeding the sum of one hundred thousand dollars, including the property now owned by the town, as they may deem of public utility. And the board of aldermen shall, as often as once a year, cause to be published for the information of the inhabitants, an account of receipts and expenditures, and a schedule of the city property; and no money shall be paid from the treasury unless the same be appropriated by the board of aldermen, and upon a warrant signed by the mayor, which warrant shall state the appropriation under which the same is drawn.

May be removed
for cause

Term of office.

All moneys
received to be
paid into city
treasury.

Payment of
money from
treasury.

Custody of pub-
lic buildings and
property.

Shall publish
annually an
account of
receipts and
expenditures.

Mayor to sign
warrants for
payment of
money.

Laws, etc., to be
approved by
mayor.

SECT. 5. Every law, act, ordinance or bill appropriating money, having passed the board of aldermen, shall be presented to the mayor, and if he approve the same, he shall sign it; if not, he shall return it within seven days, with his objections, to the board of aldermen, which shall enter the objections at large on its journals, and proceed to reconsider said law, act, ordinance or bill. If, upon such reconsideration, a majority of the whole number of the board of aldermen shall agree to pass it, it shall have the same effect as if signed by the mayor.

SECT. 6. City assessors shall be annually appointed by the board of aldermen, who shall exercise and be subject to

Assessors, their
appointments,
powers, duties
and liabilities.

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Proviso.

Assessment and
collection of
taxes.

Proviso.

Aldermen
authorized to lay
out streets.

Remedy in case
any person is
aggrieved.

County commis-
sioners empow-
ered to lay out,
etc., roads within
city.

the same powers, duties and liabilities that the assessors in the several towns in this state may exercise and be subject to under existing laws; *provided, however,* that the board of aldermen may appoint one person in each ward, whose duty it shall be to furnish the assessors with all necessary information relative to persons and property taxable in his ward, and who shall be sworn to the faithful performance of his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state relative to town taxes; *provided, however,* that it shall be lawful for the board of aldermen to establish further and additional provisions for the collection thereof.

SECT. 7. The board of aldermen shall have exclusive power and authority to lay out any new street or public way, or widen or otherwise alter or discontinue any street or way in said city, and to estimate the damage any person may sustain thereby, and shall in all other respects be governed by, and be subject to, such rules and restrictions as are by law provided in this state for regulating the laying out of public highways and repairing streets. And any person aggrieved by the decision or judgment of said board of aldermen, may, as far as relates to damages, have them assessed by a committee or jury, as is now by law provided; and any highway or town way, or bridge which has been, or may hereafter be located within said town or city, shall, nevertheless, be deemed to be legally located and established, provided that the county commissioners of Kennebec county, shall have power to lay out, widen, or otherwise alter or discontinue, within said city, any part of any county road that has been or shall be by them laid out in any adjoining town or towns, and passing thence into or through said city, according to the provisions of law; and any such county road which has been so laid out, altered, widened or discontinued within the limits of said city, shall be deemed to be legally laid out, altered, widened or discontinued, reserving, however, in all cases where the proceedings have not been fully closed and recorded, to all persons whose land has been taken, the same rights, and the same time after the passage of this act, that they would have had if the proceedings had been legal, to petition for an increase of damages, and the same may be determined in the manner now provided by law in other cases.

SECT. 8. It shall be lawful for the board of aldermen, by a committee by them appointed, or by instructions to the commissioners of streets, to appropriate, set off and reserve as side-walks, such part or portion of the several streets in said city, now or hereafter to be established, as to said board of aldermen may appear necessary for the safety, convenience and accommodation of foot passengers. It shall be lawful for the board of aldermen to permit or direct posts of stone, or wood, or trees to be placed along the edge of said side-walk next to the traveled part of the street, in such number and manner as they may deem necessary to protect said side-walks and the persons traveling thereon from damage or inconvenience from teams or carriages. So much of the several streets in said city as shall be appropriated and reserved as side-walks, agreeable to the provisions of this act, shall be taken and deemed to be reserved exclusively for the accommodation, convenience and use of persons traveling on foot; and said city shall not be liable to damages for any injury done or occasioned in consequence of any cart, carriages, wagon, or other vehicle, or any team or animal striking against any of said side-walks, or the posts or trees set or placed to defend the same. The several side-walks on the streets in said city, as at present established and used, shall be taken and deemed to be the proper and lawful reservation for that purpose, until altered or otherwise established by the proper authority.

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Portions of streets reserved as side-walks.

Stone posts, etc., may be placed along the edge of side-walks.

Liability of city for damages.

SECT. 9. The board of aldermen shall have power, on such terms and conditions as they may think proper, to authorize and empower any person or corporation to place in any street, for such time as may be necessary, any materials for making or repairing any street, side-walk, cross-walk, bridge, water-course or drain, or for erecting, repairing or finishing any building or fences, *provided* that no more than one-third of the width of the street shall be so occupied; and such materials so placed by virtue of any license obtained as aforesaid, shall not be considered an incumbrance or nuisance in such street, and the city, or person or corporation so placing the same, shall not be liable for any damages occasioned by such materials.

Aldermen may authorize placing materials in streets for repair of same.

Proviso.

Not liable for damage caused thereby.

SECT. 10. All the laws and regulations now in force in said town shall, notwithstanding this act, be and remain in

Laws, etc., now in effect to remain in force till repealed, etc.

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force until they expire by their own limitations, or be revised or repealed by the board of aldermen; and prosecutions and suits may be commenced and proceeded thereon in the name of the city, by officers or other persons thereby empowered or directed to prosecute and sue; and the fines and penalties shall go to the uses in such laws or regulations named, and according to law.

Wards.

SECT. 11. For the purpose of holding elections, said city shall, after the first election, be divided into not less than five nor more than seven wards, to contain, as near as conveniently may be, an equal number of inhabitants; and it shall be the duty of the board of aldermen, once in ten years and not oftener than five years, to review, and if it be needful, to alter said wards, in such manner as to preserve as nearly as may be an equal number of inhabitants in each ward. In each of said wards there shall annually, on the first Monday of March be chosen by ballot, a warden and clerk; who shall hold their offices until Tuesday next after the first Monday of March of the succeeding year, and until others have been chosen and qualified in their stead. Said warden and clerk shall be sworn to the faithful performance of their duty, by any justice of the peace or by the person presiding in said meeting or by the clerk of said ward, and a certificate of such oath having been administered, shall be entered by the clerk on the records of said ward. The wardens shall preside at all ward meetings, with the powers of moderators of town meetings, and if at any meeting the warden shall not be present, the clerk of the ward shall call the meeting to order and preside till a warden *pro tem.* shall be chosen. If neither the warden nor clerk shall be present, any legal voter in the ward may preside till a clerk *pro tem.* shall be chosen and qualified. The clerk shall record all the proceedings and certify the votes given and deliver over to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. The inhabitants of each ward may choose two persons to assist the warden in receiving, sorting and counting the votes. The list of the names of the legal voters in each ward shall be prepared by the assessors and board of aldermen, assisted by the wardens, in the same manner and under the same restrictions, as are imposed by the laws of this state on the

Warden and clerk, how chosen.

Wardens shall preside at ward meetings.

Duties of clerk.

List of voters, how and by whom prepared.

assessors and selectmen of towns ; and all regular ward meetings shall be notified and called by the mayor and aldermen in the manner provided in the laws of this state for notifying and calling town meetings by the selectmen of the several towns, excepting that ward meetings for the election of mayor, after the second trial, may be called within the time provided in such cases in this act.

SECT. 12. The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. One alderman shall be elected by each ward, being a resident in the ward where elected. All said officers shall be elected by ballot, by a majority of the votes given, and shall hold their offices one year from the third Monday in March, and until others shall be elected in their places ; *provided, however*, that if the city shall be divided into less than seven wards, then one or two, as the case may be, of the aldermen shall be elected at large by the inhabitants of the city, the whole number of aldermen in no case to be more than seven, as provided in section two of this act.

Mayor, how
elected.

Election of
aldermen.

Tenure of office.

SECT. 13. The mayor and aldermen shall appoint a city marshal in the manner provided in section four of this act, who shall have all the powers and exercise all the duties that now appertain to constables of towns, and who shall be chief of the city police, and as such may enforce such ordinances and regulations under the direction of the mayor as may be adopted by the board of aldermen for the government of the city of Waterville.

City marshal,
appointment,
powers and
duties.

SECT. 14. On the first Monday of March, annually, the qualified electors of each ward shall ballot for a mayor, one alderman, warden and clerk ; all the votes given for the said several officers respectively shall be sorted, counted, declared and registered in open ward meeting by causing the names of persons voted for and the number of votes given for each to be written on the ward record at length. The ward clerk, within twenty-four hours after such election, shall deliver to the person elected alderman a certificate of his election, and shall forthwith deliver to the city clerk a certified copy of the record of such election ; *provided, however*, that if the choice of an alderman cannot conveniently be effected on that day, the meeting may be adjourned from day to day to complete such election. If on the second balloting for any alderman,

Annual elections
and proceedings.

Ward clerks to
notify aldermen
of election.

Proviso.

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Elections at subsequent meetings, how determined.

Aldermen to cause mayor to be notified of election.

Proceedings if mayor is not elected at first meeting.

Vacancy in office of mayor, how filled.

Oaths.

Duties of city clerk prescribed.

Ward meetings.

warden or clerk, a choice shall not be effected by a majority vote, then the persons receiving the highest number of votes for any of those offices at the subsequent trial shall be declared elected; if no one shall then have such highest number, the balloting shall be continued from day to day until a choice is thus effected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have been elected mayor, by a majority of votes given in all the wards, to be notified in writing of his election; but if it shall appear that no person shall have been elected, or if the person elected shall refuse to accept the office, the said board shall issue their warrants for another election; and in case the citizens should fail on a second ballot to elect a mayor, the said board shall again issue their warrants for a third election, to be held not less than three nor more than seven days thereafter, at which election the candidate having the greatest number of votes shall be declared elected and notified as aforesaid; if no one shall then have such number, further elections shall in the same manner be ordered, till a choice shall be made by some one having the highest number of votes; and in case of a vacancy in the office of mayor by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election in the manner hereinbefore provided for the choice of said officer; and in the meantime the president *pro tempore* of the board of aldermen shall perform the duties of mayor. The oath prescribed by this act shall be administered to the mayor by the city clerk or any justice of the peace. The aldermen shall, on the third Monday of March, at ten o'clock in the forenoon, meet in convention, when the oath required by the second section of this act shall be administered to the members of the board of aldermen present, by the mayor or any justice of the peace.

SECT. 15. The city clerk shall be the clerk of the board of aldermen; he shall perform such duties as shall be prescribed by the board of aldermen, and shall perform all duties, and exercise all the powers, by law incumbent upon or vested in the town clerk of the town of Waterville; he shall give notice in one or more of the papers printed in said city, of the time and place of regular ward meetings; but the place of regular ward meetings, and also the day and hour, when

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not fixed by law, shall be determined by the board of aldermen. The board of aldermen may, in the absence of the mayor, choose a president *pro tempore*, who shall preside at meetings of the board. The board shall keep a record of its proceedings, and judge of the election of its own members; and in case of failure of election, or vacancy by death, resignation or otherwise, may order new elections. A quorum for the transaction of business shall consist of a majority of the members thereof; all meetings of the aldermen shall be open and public, and the presiding officer shall have the power of moderators of town meetings. At any meeting, when any two members shall request it, the vote shall be taken by yeas and nays, which shall be recorded by the clerk.

President
pro tem.

Record of pro-
ceedings of
aldermen.

Quorum.

Power of presid-
ing officer.

SECT. 16. For the purpose of organizing the system of government hereby established, and putting the same in operation in the first instance, the selectmen of the town for the time being shall seasonably, before the third Monday of March next after the acceptance of this charter, issue their warrant for calling a meeting of the citizens at such place and hour upon said day as they shall think expedient, for the purpose of choosing a mayor and seven aldermen, to be taken from the city at large; and in case said elections shall not be completed at the first election, then to issue a new warrant until such election shall be completed; and the town clerk for the time being shall give notice thereof to the several persons elected; and it shall be the duty of the board of aldermen, immediately after their first organization, to elect by ballot a city clerk and all other necessary city officers, who shall hold their offices respectively until others are chosen and qualified in their places. And it shall be the duty of the mayor and aldermen first elected at large, as soon as may be, after their organization, to cause a division of said city to be made into not less than five, nor more than seven wards, in such manner as to include as nearly as conveniently may be, consistently with well defined limits to each ward, an equal number of inhabitants in each ward. And at the first meeting after such division into wards, any inhabitant of said wards, being a legal voter, may call the citizens to order and preside until a warden shall have been chosen; and at said first meeting a list of voters in each ward, prepared and corrected by the board of aldermen, shall be delivered to the

Proceedings for
organising city
government.

New warrant to
issue in case
election is not
completed

Election of city
officers.

Division into
wards.

Who may pre-
side at first
meeting.

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clerk of each ward when elected, to be used as provided by the laws in town meetings.

Aldermen
authorized to
make regulations
for sale of wood
and bark.

SECT. 17. The board of aldermen shall have authority to establish and make regulations for the measurement and sale of wood and bark in said city, whether brought by teams or railroad, and may affix suitable penalties for the violations thereof, anything in the public laws of the state to the contrary notwithstanding.

May regulate
the erection of
wooden build-
ings.

SECT. 18. The board of aldermen are hereby authorized and empowered to pass any ordinance or ordinances regulating or forbidding the erection of wooden buildings on any street or streets in said city, when they may deem it necessary or conducive to the public safety.

May regulate the
use of carts, etc.

SECT. 19. The board of aldermen may make and establish such ordinances or regulations as they may deem for the public good for the regulation of carts, drays or other teams in said city, and prescribing the width of tire that shall be used.

All powers relat-
ing to school
districts, vested in
aldermen.

SECT. 20. All the power and authority vested in the inhabitants of any school district in the city of Waterville, by virtue of chapter eleven of the revised statutes relating to the education of youth, and of the amendments thereof and acts additional thereto, shall be, and the same is hereby, invested in the board of aldermen of the city as aforesaid.

When to take
effect.

SECT. 21. This act shall take effect and be in full force when the same shall have been accepted by the inhabitants of said town qualified to vote in town affairs, at a legal meeting called for that purpose, *provided* it shall be accepted within five years from the passage of this act; but no more than one meeting for that purpose shall be called in any one year.

Proceedings at
meetings for
acceptance of
charter.

And at such meeting the inhabitants of said town shall vote by a written ballot, those in favor of accepting this act having on the ballot the word 'yes,' and those opposed having on the ballot the word 'no;' and if a majority of all the ballots received are in favor of accepting the same, it shall then become a law and take effect. And it shall be the duty of the clerk of said town to file a copy of the record of the vote of said town accepting the same, with the clerk of the city of Waterville, when elected, who shall transcribe such copy into the records of the city, and such record shall be conclusive evidence that this act has been accepted.

SECT. 22. All acts and parts of acts inconsistent with this act are hereby repealed from and after the time when this act shall have been accepted as aforesaid, and the government shall have been organized as herein provided.

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Inconsistent acts repealed.

Approved February 28, 1883.

Chapter 282.

An Act to amend an act, entitled "An Act to establish a Municipal Court in the city of Auburn."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Paragraph four of section two of an act entitled "An Act to establish a municipal court for the city of Auburn," approved February seventeen, eighteen hundred and seventy-five, is hereby amended by striking out all between the words "and" in the fourth line, and "within" in the fifth line, and inserting instead thereof the words, 'defendant resides,' so that said paragraph, as amended, shall read as follows :

Sec. 2, ch. 135, private laws 1875, amended.

'Fourth. Original jurisdiction, concurrent with the supreme judicial court and the municipal court of the city of Lewiston, of all civil actions in which the debt or damages do not exceed one hundred dollars, and the defendant resides within the county of Androscoggin; *provided* that any action, civil or criminal, in which the judge is interested, but which would otherwise be within the exclusive jurisdiction of said court, may be brought in and disposed of by the Lewiston municipal court, in the same manner and with like effect as other actions therein.'

Original and concurrent jurisdiction of court.

SECT. 2. Section ten of said act is hereby amended so as to read as follows :

Sec. 10, amended.

'SECT. 10. The costs and fees allowed to parties, attorneys and witnesses in all civil actions in said court, in which the debt or damages recovered does not exceed twenty dollars, and in actions of forcible entry and detainer, shall be the same allowed by trial justices in like actions before them, except that the plaintiff, if he prevail, shall be allowed two dollars for his writ, and the defendant, if he prevail, two

Costs and fees to parties, attorneys and witnesses, how regulated.

CHAP. 283 dollars for his pleadings; but in actions in which the amount recovered exceeds twenty dollars, the costs and fees shall be the same as allowed in the supreme judicial court, in like actions, except that the defendant, if he prevail, shall be allowed two dollars for his pleadings, and that witnesses shall be allowed one dollar per day, and travel, as in other cases.'

SECT. 3. This act shall take effect when approved.

Approved February 28, 1883.

Chapter 283.

An Act to amend the charter of the Brunswick Gas Light Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 2, ch. 291.
private laws 1884,
amended.

SECT. 1. Section two of chapter two hundred and ninety-one of the private and special laws of eighteen hundred and fifty-four is hereby amended, by inserting after the word "works" therein the words 'and for the heating of buildings by steam,' and by changing the word "purpose" therein to 'purposes,' so that the same section, amended, shall be as follows :

Authorized to
hold real estate,
manufacture gas
for lighting
streets, etc., and
heating build-
ings.

'**SECT. 2.** Said corporation is authorized to hold all such real and personal estate as may be necessary and proper to enable them to carry on the manufacture, distribution and sale of gas for the purpose of lighting the streets, factories, and all other buildings and works, and for the heating of buildings by steam, in the town of Brunswick, and to construct such reservoirs, gas holders, gas pipes, and other things, as may be requisite and proper for such purposes; *provided* the whole amount of the capital stock of said company shall not exceed fifty thousand dollars.'

Proviso.

Sec. 3, amended.

SECT. 2. Section three of the same chapter is hereby amended by inserting the words, 'and steam,' after the word "gas," therein, so that the same section, amended, shall be as follows :

Authorized to
lay pipes.

'**SECT. 3.** Said corporation shall have the right to lay gas and steam pipes in any of the public streets or highways in said town of Brunswick, the consent of the selectmen of said

town having first therefor been obtained, and relay and repair the same, subject to such regulations as the health and safety of the citizens and the security of the public travel may require, and as may be prescribed by the selectmen aforesaid.' CHAP. 283

SECT. 3. The same chapter is hereby further amended by adding thereto the following sections :

'SECT. 8. All conveyances of real or personal estate, by mortgage or otherwise, given by said corporation, and now held by Elmira M. Owen, as guardian, or in her own right, and all such conveyances now held by her children, or either or any of them, or by her or their assigns, and all notes and undertakings which any such conveyance was given to secure, are hereby made and declared to have been legal and valid, and to be so. Certain conveyances of real estate, made valid.

SECT. 9. Said corporation may issue its bonds for the construction and maintenance of its works, upon such rates and time as it may deem expedient, not exceeding in all, including its existing liabilities, one-half of the value of its assets at the time of such issue, and may secure such bonds by mortgage of the franchises and property of said company, without prejudice to the conveyances, notes and undertakings mentioned in the last preceding section, and subject to the same conveyances, notes and undertakings. May issue bonds.

SECT. 10. Said corporation is hereby authorized to create a sinking fund for the payment of any bonds that may be issued under the provisions of this act, and of any of its existing liabilities. Such sums as may be raised or appropriated for said sinking fund, shall be invested and re-invested, as occasion may require, in the name of said company.' Authorized to create sinking fund.

Approved February 28, 1883.

Chapter 284.

An Act to incorporate the Deer Isle Zinc and Silver Mining Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators. SECT. 1. Daniel H. Bacon, Christopher Way and James B. Totten, all of Portland, their associates, successors and assigns, are hereby created a body corporate by the name of the Deer Isle Zinc and Silver Mining Company, with all the powers, rights and privileges that belong to corporations of a similar character.

Corporate name. SECT. 2. The capital stock of said corporation shall not exceed one million of dollars, and shall be divided into shares of such value as may be determined by said corporation. The certificates of stock shall be signed by the president, attested by the secretary, and sealed with the seal of the corporation, *provided, however*, that this corporation shall not issue any certificates of stock until the treasurer thereof shall have filed with the secretary of state a sworn certificate that twenty thousand dollars in cash have been paid into the treasury of said corporation, by *bona fide* subscribers to said capital stock.

Capital stock. No stock shall be issued until certain amount has been paid into treasury.

Authorized to buy property of Deer Isle Mining Company. SECT. 3. Said corporation is authorized to purchase of the Deer Isle Silver Mining Company, or any person holding property in trust for it, all the property and rights owned by the said Deer Isle Silver Mining Company, or so held in trust for it, and to pay therefor, in the stock of this corporation or in cash, or partly in said stock and partly in cash. And this corporation may vote and act upon all stock of said Deer Isle Silver Mining Company, transferred to this corporation in exchange for its stock, as individual stockholders may do.

Powers. SECT. 4. This corporation is empowered to carry on the business of mining and quarrying zinc, and other ores or minerals, smelting, reducing or treating ores, and any manufacturing, mechanical, or other business connected therewith, or incident thereto, and for such purposes may take, hold, and sell all such real and personal property as may be convenient or necessary.

Unlimited assessments may be laid upon stock. SECT. 5. Assessments to an unlimited amount may be laid upon all the shares of this corporation, by a vote of stockholders holding a majority of the stock, and in case any stockholder neglects to pay any such assessment on his shares,

—collection of.

for thirty days, the treasurer may sell at public auction a sufficient number of them to pay such assessment, with incidental charges. CHAP. 285

SECT. 6. Said corporation is authorized to construct, maintain and use a railroad, to be operated by horse or steam power, for the transportation of freight from a point at or near the mines of said Deer Isle Silver Mining Company, in the town of Deer Isle, to some point upon the north shore of said town, which is accessible to vessels, and also from said mines to North West Harbor, in said town, with all the rights and privileges, and subject to all the liabilities of the laws of the state.

Authorized to construct a railroad in Deer Isle.

SECT. 7. Any person named in this act may call the first meeting of this corporation, for the purpose of organization, by giving written notice thereof to each of the other corporators herein named, twenty-four hours, at least, before said meeting.

First meeting, how called.

Approved February 28, 1883.

Chapter 285.

An Act to make valid the organization and doings of the Wells Village Library Association.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The proceedings of the persons associating themselves, under chapter fifty-five of the revised statutes, about January, eighteen hundred and seventy-five, as the Wells Village Library Association, the organization of said association, the election of its officers, its records, and property rights acquired ; also the doings of said association since said organization, and at its last annual meeting, held on the twenty-fifth day of January last, and by adjournment on the twenty-ninth day of said January, for the purposes for which said corporation was organized, are hereby confirmed, and made legal and valid.

Doings of Wells Village Library Association, legalized.

SECT. 2. This act shall take effect when approved.

Approved February 28, 1883.

CHAP. 286

Chapter 286.

An Act to change the name of James Mitchell.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name of James
Mitchell,
changed.

That the name of the following person be, and is hereby changed, as follows, viz: The name of James Mitchell be changed to the name of Frederick J. Holway.

Approved February 28, 1883.

Chapter 287.

An Act to enlarge the powers of the Bernstein Electric Light Manufacturing Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Powers of Bern-
stein Electric
Light Manufact-
uring Company,
enlarged.

The Bernstein Electric Light Manufacturing Company, organized under the general laws of this state, is hereby authorized to own and hold shares in such corporations as it authorizes to use any of the patents it may own or control; and to carry on any portion of its business outside the territorial limits of this state.

Approved February 28, 1883.

Chapter 288.

An Act to incorporate the Isle au Haut Water Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Ernest W. Bowditch, Albert B. Otis and Charles A. Spofford, and such persons as they may associate with themselves in the enterprise, are hereby incorporated into a corporation by the name of the Isle au Haut Water Company, for the purpose of supplying the town of Isle au Haut, in Hancock county, with pure water for domestic, sanitary and municipal purposes.

Corporate name.

Purpose.

May take water,
construct dams,
etc.

SECT. 2. Said company for said purposes may detain, take, store and distribute water from Isle au Haut pond, in said town of Isle au Haut, and from any streams flowing out

of the same, and may locate, construct and maintain dams, reservoirs, sluices, aqueducts and pipes therefor. Such aqueducts and pipes may be located and constructed along and across any highway or townway in said town, in such manner as the municipal officers of said town may approve.

SECT. 3. Said company may occupy any lands necessary for its dams, reservoirs and other necessary buildings, and may locate and lay and maintain pipes in and through any lands for said purposes, and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations and shall file in the registry of deeds, in said county of Hancock, plans of such location and lands, and within thirty days thereafter publish notice thereof in some newspaper in said county, such publication to be continued three weeks successively. Not more than two rods in width of land shall be occupied by any pipe or aqueduct and not more than two acres by any reservoir.

May take lands,
etc.

Shall file plans
of location in
registry of deeds.

SECT. 4. Should the said company and the owner of such land be unable to agree upon the damages to be paid for such location and occupation and construction, the land owner may, within twelve months after such filing of plans of location, apply to the commissioners of said county and have such damages assessed by a committee or jury, as in the case of petitions for increase of damages for land taken for highways. If said company shall fail to pay such land owner, or deposit for his use, with the clerk of the county commissioners, such sum as may be finally awarded, as damages, with costs, within sixty days after notice of final judgment shall have been received by the clerk of courts, the said location shall be thereby invalid, and the company forfeit all rights under the same. If such land owner recovers more damages than were tendered by said company, he shall recover costs, otherwise the company shall recover costs. In case said company shall begin to occupy such lands before the rendition of final judgment, the land owner may require said company to file its bond to him with the county commissioners, in sum and with such sureties as they approve, conditioned for said payment or deposit. Failure to apply for damages within said twelve months, shall be held to be a waiver of the same. No action shall be brought against said company for

Damages, how
assessed.

Failure to apply
for damages, held
to be a waiver of
same.

CHAP. 289

Damage for
flowage, how
ascertained and
paid.

Damage for
taking water,
how ascertained.

Pollution of water
or injury to works,
prohibited.

Penalty.

Capital stock.

such taking and occupation, until after such failure to pay or deposit as aforesaid. Damages caused by flowage are to be ascertained and paid in the same manner.

SECT. 5. Any person suffering damage by the taking of water by said company as provided by this act, may have his damages ascertained in the manner provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

SECT. 6. Whoever shall, in any way, wilfully pollute the water of said pond or stream, whether frozen or not, after said company shall have commenced taking the same, and whoever shall wilfully injure any of the works of said company, shall be punished by imprisonment not over two years, or by fine not exceeding one thousand dollars and shall be liable to an action for damages.

SECT. 7. The capital stock of said company shall be the amount fixed by said company at its first meeting, not exceeding fifty thousand dollars.

SECT. 8. This act shall take effect when approved.

Approved February 28, 1883.

Chapter 289.

An Act to incorporate the trustees of Dixfield Academy.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. William W. Wait, Henry O. Stanley, John R. Trask, W. K. Chase, M. V. Eastman, Z. W. Taylor, Charles Stanley, A. H. Stockbridge, W. F. Newman, N. S. Stowell, W. S. Chase, H. M. Cox, L. C. Willoughby, Frank Stanley, George G. Gates, A. B. Lovejoy and W. F. Putnam, their associates and successors, are hereby incorporated into a body politic by the name of the Trustees of Dixfield Academy, for the promotion of education.

Corporate name.

Purpose.

Rights, privi-
leges and im-
munities.

SECT. 2. Said corporation is hereby vested with all the rights, privileges and immunities incident to similar corporations; to have and use a common seal; to prosecute and

defend suits at law ; to make and establish such by-laws, not repugnant to the laws of this state, as may be deemed necessary for the management of their affairs ; to fill all vacancies occurring in their number ; to take and hold any estate, real or personal, which they now possess or may hereafter receive by donation or otherwise, the annual income of which shall not exceed the sum of three thousand dollars, said income to be faithfully applied to promote the cause of education. CHAP. 290

SECT. 3. Any two of the persons above named may call the first meeting of said corporation by publishing a notice thereof in the Oxford Democrat or by giving written notice thereof to the persons above named, seven days at least before the time appointed for said meeting.

First meeting,
how called.

SECT. 4. This act shall take effect when approved.

Approved February 28, 1883.

Chapter 290.

An Act to extend the charter of the Cherryfield Boom Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The charter of the Cherryfield Boom Company, contained in the act approved February twenty-one, eighteen hundred and thirty-four, and an act additional, approved August seven, eighteen hundred and forty-eight, and an additional act approved March two, eighteen hundred and fifty-eight, is hereby extended for the term of twenty-five years, from and after its expiration, with all the rights and privileges, and subject to all the liabilities therein provided.

Charter of
Cherryfield Boom
Co., extended.

Approved February 28, 1883.

Chapter 291.

An Act to authorize the sale of the Union Meeting House, in Sidney.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Pew-holders of
Union meeting
house authorized
to sell house and
lot

SECT. 1. The pew-holders of the Union meeting house, situate in Sidney, in the county of Kennebec, are hereby authorized and empowered to sell and convey all the interest of said pew-holders, in said house and lot on which the same stands.

Nathan A. Ben-
son et als. may
call meeting.

SECT. 2. Nathan A. Benson, Lauriston G. Tilley and Charles T. Hamlen, are hereby authorized and empowered to call a meeting of said pew-holders, at said meeting house. Said meeting is hereby authorized to appoint a suitable person or persons to sell and convey the property in said house and lot, at public or private sale, as said meeting shall determine. Notice of said meeting shall be posted in two public and conspicuous places, in said Sidney, and on the outer door of said meeting house, two weeks, at least, before said meeting.

—how called.

Approved February 28, 1883.

Chapter 292.

An Act to incorporate the Bethel and Northern Narrow Gauge Railroad Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. M. T. Cross, A. B. Godwin, Enoch Foster, R. A. Frye, John M. Philbrook, J. A. Thurston, H. S. Hastings, St. John Hastings, Frank Russell, W. O. Howe, C. A. Kimball, C. W. Kimball, Waldo Pettengill, John F. Gould, J. W. Eaton, Asa A. West, Sylvanus Poor, William Gregg, J. W. Clark and their associates are hereby created a body corporate by the name of the Bethel and Northern Narrow Gauge Railroad Company, with all the powers, rights and privileges, and subject to all the duties, obligations and restrictions conferred and imposed by the laws of the state.

Corporate name

Powers, duties,
etc.

Authorized to
locate and con-
struct a narrow
gauge railroad.

SECT. 2. Said corporation is authorized to locate, construct, maintain and operate a railroad of a gauge not exceeding three feet and not less than two feet, from some point in Bethel, Greenwood or Woodstock, and passing by the most

feasible route through any of the towns of Bethel, Newry, Hanover, Rumford, Andover, Grafton, Greenwood, Woodstock, Milton plantation and Upton, to the most desirable point on Richardson or Umbagog lakes, with the right to connect with the Grand Trunk railroad, in Bethel, Greenwood or Woodstock.

CHAP. 292
Route.

SECT. 3. The capital stock of said corporation shall consist of not less than seven hundred and twenty, nor more than three thousand shares of fifty dollars each.

Capital stock.

SECT. 4. Said corporation may sell or lease its line and all its improvements to any other railroad corporation, which latter company is hereby authorized to enter into such contract of sale or lease, and the directors of the two corporations may enter into such contract for the running of the road, and for the purchase, sale or lease thereof, as the directors of the two companies, in the exercise of their best judgment and discretion, may deem for the advantage of their respective corporations, subject to the approval of the stockholders in each corporation.

May lease its line.

SECT. 5. The officers of said corporation shall be a president, clerk, treasurer, board of directors, and such others as may be provided in the by-laws. The powers and duties of the officers shall be such as may be prescribed in the by-laws and rules of the corporation.

Officers, powers and duties.

SECT. 6. If the said corporation shall not have been organized, and the location, according to an actual survey of the route, have been filed with the county commissioners of the county of Oxford, on or before the first day of January, in the year of our Lord one thousand eight hundred and eighty-four; or if said corporation shall fail to complete said railroad on or before the first day of January, in the year of our Lord one thousand eight hundred and eighty-five, in either of the above mentioned cases, this act shall be null and void.

Charter void, if road is not completed in given time.

SECT. 7. This charter is granted because the railroad herein provided for, would run in the same general direction as the Grand Trunk railroad already constructed and within ten miles of the same, so that the object of this corporation cannot be attained under the general laws for the formation of railroad corporations.

Reason for granting charter.

CHAP. 293

Chapter 293.

An Act to enable the receivers of the American Bank of Hallowell to close its concerns.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Claims against American Bank to be valid twenty years.

The certificates of claims against the American Bank at Hallowell issued by the receivers according to the list returned to and accepted by the supreme judicial court, shall be valid for twenty years from the appointment of the receivers, and no longer ; and after that time the court may order any balance of assets remaining in the hands of the receivers to be paid to shareholders in said bank, who paid assessments, in proportion to the assessments they severally paid.

Approved March 2, 1883.

Chapter 294.

An Act to authorize Elmer E. Thomas to dredge bars and navigate Kennebago Lake, in Franklin County, by steam.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Elmer E. Thomas et als vested with exclusive right to navigate Kennebago lake by steam.

SECT. 1. Elmer E. Thomas, his associates and assigns, are hereby authorized and vested with exclusive right against all persons or corporations of employing and navigating every kind of boat or water craft, propelled by steam, as common carriers, on the Kennebago lake, in Franklin county, for the term of seven years from the passage of this act, with the right to navigate the waters of said lake in all directions and to all points.

Right to terminate, if adequate accommodations are not furnished.

SECT. 2. It shall be the duty of said Thomas, his associates and assigns, to provide and furnish adequate and reasonable transportation and accommodations for all ordinary travel upon said lake, and any failure on his or their part to do so, after reasonable notice, and if the travel shall so increase as to require another boat, which he or they shall not furnish, shall terminate the exclusive right aforesaid. Any person or persons, who shall invade or violate the rights hereby granted to said Thomas, his associates and assigns, shall forfeit and pay to the use of said Thomas, his associates and assigns, not

Penalty for violation of right.

less than fifty, and not exceeding three hundred dollars, to be recovered by said Thomas, his associates and assigns, in an action of debt. CHAP. 294

SECT. 3. Said Thomas, his associates and assigns, shall be allowed to charge and receive a toll of not exceeding one dollar for each person transported upon or across said lake on any regular trip, and a freight charge of not exceeding thirty-five cents per hundred pounds, for all freight other than personal baggage transported in like manner. Toll authorized.

SECT. 4. Said Thomas, his associates and assigns, shall make, at least, one daily trip from the principal wharf of the steamboat hereby authorized, across said lake, to such point as the principal travel has heretofore touched, and return, excepting Sundays, unless there be no person desiring to travel, or send freight, either way, in which case such daily trip may be omitted. Such trips may, at any time, be omitted, when by reason of violent storms or winds the person in charge of said boat shall deem it unsafe to put out. Times for running boats.

SECT. 5. Nothing herein contained shall be construed to authorize said corporator to in any manner interfere with booming, rafting or driving logs and lumber upon or over said lake, or any of its tributaries. Not to interfere with booming or driving of logs.

SECT. 6. Said Thomas, his associates and assigns, shall have the right to dredge bars and remove any obstructions along the shores of said lake, when necessary, for the full enjoyment of the privileges hereby conferred. May dredge bars and remove obstructions.

SECT. 7. Unless the boat or boats, provided for in this act, be put in actual operation within two years from the passage thereof, the powers and privileges herein granted shall be forfeited, and of no effect. Right forfeited, unless boats are in operation with in two years.

SECT. 8. This act shall take effect when approved.

Approved March 2, 1883.

CHAP. 295

Chapter 295.

An Act to incorporate the Town of Brookton.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Town of Brookton, incorporated.

SECT. 1. The plantation hitherto known by the name of Jackson Brook, in the county of Washington; and being township number nine, range three, be and hereby is incorporated into a town, by the name of Brookton, and the inhabitants of said town are hereby vested with all the powers, privileges and immunities which the inhabitants of towns within this state do or may enjoy.

First meeting, how called.

SECT. 2. Any justice of the peace, within said county, is hereby empowered to issue his warrant to some inhabitant of said town, directing him to notify the inhabitants thereof to meet at such time and place as he shall appoint, to choose such officers, and transact such business as other towns are empowered to do at their annual town meetings.

SECT. 3. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 296.

An Act to amend "An Act to incorporate the City of Gardiner."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Common council abolished.

SECT. 1. At any special meeting of the legal voters or at any annual election for the choice of mayor, aldermen and common council, the qualified electors in each ward may, by ballot, vote to abolish the co-ordinate branch of the city government, styled the common council, and said common council shall be abolished when and only when a majority of all ballots cast in all the wards at such election shall be in favor of such abolition, and such abolition shall take effect at the end of the municipal year in which said vote is taken.

Election of an alderman at large provided for.

SECT. 2. At the annual election for the choice of mayor and other officers, after the abolition of the common council, should said body be abolished, the qualified electors in each ward shall, in addition to voting for their ward officers and

mayor, vote for an alderman at large, and it shall take a majority of all ballots cast in the city to elect such alderman at large, and his duties and obligations shall be the same as those of the other members of the board of aldermen.

SECT. 3. Should the common council be abolished by a majority vote at any special or annual meeting as above provided, then all powers, rights and privileges granted, and all duties and obligations imposed by said charter and subsequent amendments upon said common council, shall thereafter be exercised and performed solely by the board of aldermen.

Duties of aldermen.

SECT. 4. Should the common council be abolished in accordance with the provisions of this act, no alderman shall be eligible to any office within the gift of the city that has a salary attached to it.

Qualification of aldermen.

SECT. 5. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 297.

An Act to authorize Joel G. Gay, and others, to build and maintain a Dyke at Back Bay, over tide waters, in the town of Millbridge.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Joel G. Gay, Henry M. Leighton, Bartlett W. Brown, William W. Blood, their associates, successors, heirs and assigns, are hereby authorized to build and maintain a good and sufficient dyke, at Back Bay, in the town of Millbridge, to commence at a point on the west side of Grain Point, so called, and to extend over tide waters across the creek there situated, to the land of Alonzo Fickett, in shore, of the site of the old dyke, formerly built across said creek by the grantees of the said Gay and others.

Joel G. Gay et als authorized to build dyke in Millbridge.

SECT. 2. The persons named in section one may organize under this act by any one of their number giving to each of said persons a notice, in writing, of the time and place of meeting, at least three days before the same is to be held, and may make such by-laws, not repugnant to the laws of the state, as may be necessary to carry out the objects of this act.

Meeting for organization, how called.

Approved March 2, 1883.

CHAP. 298**Chapter 298.**

An Act authorising Frederick L. Farnham of the town of Washburn, in the county of Aroostook, to maintain a line of piers in the Aroostook river.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Frederick L. Farnham authorized to maintain piers in Aroostook river.

SECT. 1. Frederick L. Farnham of Washburn, in the county of Aroostook, his heirs and assigns, are hereby authorized to maintain a line of seven piers in the Aroostook river, in said town of Washburn, extending from the lumber mill erected by said Farnham on the east bank of the said river, up to a point nearly opposite the mouth of Salmon brook, said piers being about one hundred and twenty-five feet from high water mark on the east side of said river.

SECT. 2. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 299.

An Act to authorize the Eastern Railroad Company to extend and enlarge its wharf at Bar Harbor.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Eastern R. R. Co. authorized to enlarge wharf in Eden.

SECT. 1. The Eastern Railroad Company is hereby authorized and empowered to extend and enlarge its present wharf at Bar Harbor, in the town of Eden, as follows:—toward the west not exceeding twenty-five feet, toward the east not exceeding seventy-five feet, toward the north not exceeding fifty feet. The said distances are to be measured from the outside lines of the present wharf. The said extension toward the north may be for the whole length of said wharf as extended east and west.

SECT. 2. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 300.

CHAP. 300

An Act to amend an act entitled "An Act to amend an act to incorporate the Lime Rock Railroad Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Section five of chapter three hundred and eighty-one of the special laws of eighteen hundred and seventy-three, is hereby amended by inserting 'eighteen hundred and eighty-four' in place of "eighteen hundred and seventy-four," so that said section, as amended, shall read as follows :

Sec. 5, ch. 381,
special laws 1873
amended.

'SECT. 5. The city of Rockland and the town of Thomaston are hereby authorized to exempt from taxation, the real estate and personal property of said corporation for a period not exceeding ten years from the first day of April, eighteen hundred and eighty-four.'

Property of
corporation
exempt from
taxation.

Approved March 2, 1883.

Chapter 301.

An Act to incorporate the Maine Trust Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Edward A. Noyes, Francis Fessenden, William L. Putnam, Franklin R. Barrett, William H. Moulton, Lewis Pierce of Portland; Galen C. Moses of Bath; F. A. Wilson of Bangor; John A. Waterman of Gorham; George C. Yeaton of North Berwick, their associates and successors, are hereby made a corporation by the name of the Maine Trust Company, for the purpose of receiving, on deposit, money and other personal property of every description, and of collecting and disbursing the income and principal of said property when due; of loaning or advancing money or credits on real and personal security; of acting as trustee under mortgages or otherwise, as receiver or agent for any person, firm, corporation, public or private; to issue, register and countersign certificates of stock, bonds or other evidences of indebtedness, and to receive and make payments on account of the same.

Corporators.

Corporate name.

Purposes.

CHAP. 301

Corporation may
be appointed
executor or
administrator.

In probate mat-
ters any officer
may act in
behalf of corpo-
ration.

Administrators,
etc., may deposit
moneys and
papers with
corporation.

Capital stock.

May hold real
estate.

Corporate powers
vested in a board
of trustees.

Reserved fund to
be in lawful
money.

Proviso.

Responsibility of
shareholders.

SECT. 2. Said corporation may be appointed executor or trustee under any will, or administrator or guardian of any estate, under the same circumstances, in the same manner, and subject to the same control by the court having jurisdiction of the same, as in the case of a legally qualified person; and no surety shall be required upon the bonds filed by said corporation in such cases. In all proceedings in the probate court or elsewhere, connected with any authority exercised under this act, all accounts, inventories and other papers may be signed and sworn to, in behalf of the corporation, by any officer duly authorized by it.

SECT. 3. Administrators, executors, assignees, guardians, trustees or any court, may deposit or direct any moneys, papers, documents or other property, to be deposited with said corporation, which is hereby authorized to receive and hold the same upon such terms as may be agreed upon; but said corporation shall not be required to assume or execute any trust without its own assent.

SECT. 4. The capital stock of said corporation shall be one hundred thousand dollars, divided into shares of one hundred dollars each. Said corporation shall not commence business until one hundred thousand dollars shall have been paid in, in cash. The capital stock of the corporation may be increased to one million dollars. The corporation may hold real estate for its own use, in the city of Portland, not exceeding one hundred thousand dollars in value.

SECT. 5. The corporate powers of said corporation shall be exercised by a board of trustees consisting of not less than five persons, who shall be chosen annually, and who shall be qualified by acceptance of that trust in writing.

SECT. 6. Said corporation shall at all times have on hand in lawful money, as a reserve, not less than twenty-five per cent of the aggregate amount of all its deposits, which are subject to withdrawal on demand; *provided*, in lieu of lawful money, one-third of said twenty-five per cent may consist of balances, payable on demand, due from any national or state banks.

SECT. 7. The shareholders of this corporation shall be individually, equally and ratably responsible for its liabilities, to the extent of the amount of their stock therein, at the par value, in addition to the amount invested in such shares.

SECT. 8. The deposits in said corporation shall pay to the state treasurer, a tax at the same rate as deposits in savings banks in this state, and said corporation shall make the same return to the treasurer of the state, for the purpose of taxation, as are required from savings banks.

CHAP. 302

Taxation of deposits.

SECT. 9. Said corporation shall be subject to examination by the bank examiner, who shall visit it at least twice in every year, and as much oftener as he may deem expedient. At such visits, he shall have free access to its vaults, deposits, books and papers, and shall thoroughly inspect and examine all the affairs of said corporation, and make such inquiries as may be necessary to ascertain its condition and ability to fulfill all its engagements. He shall preserve in a permanent form a full record of his proceedings, including a statement of the condition of said corporation. A copy of said statement shall be published by said corporation immediately after the examination of the same, in some newspaper published in Portland.

Bank examiner to visit semi-annually.

—shall have free access to vaults, etc.

—shall keep record and publish statement.

SECT. 10. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 302.

An Act to prevent the taking of trout in Jose's Brook in the town of Standish, Cumberland County.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All persons are forbidden to take trout, in any manner, from Jose's brook or its tributaries, in the town of Standish, county of Cumberland, for the term of three years.

Taking of trout in Jose's brook, prohibited.

SECT. 2. Any person violating the provisions of this act shall be liable to a fine of not more than one dollar for each trout so taken, to be recovered on complaint before any trial justice in said county, one-half to the complainant and one-half to the town of Standish.

Penalty for violation.

SECT. 3. This act shall take effect when approved.

Approved March 2, 1883.

CHAP. 303

Chapter 303.

An Act to extend the time for the construction of the Penobscot Central Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Time for completion of Pen. C. R. R. extended.

The additional term of two years, from and after the thirty-first day of December, in the year of our Lord one thousand eight hundred and eighty-five, is hereby granted to the Penobscot Central Railroad Company, in which to organize, locate and survey its route and complete its railroad.

Approved March 2, 1883.

Chapter 304.

An Act authorizing Hannibal H Perkins to navigate Penobscot River between Oldtown and Birch Island in the town of Greenbush.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

H. H. Perkins et al. vested with exclusive right to navigate Penobscot river in Greenbush.

SECT. 1. Hannibal H. Perkins, his associates and assigns, are hereby authorized and vested with the exclusive right of employing and navigating every kind of boat or water craft propelled by steam on Penobscot river between Oldtown falls in the town of Oldtown and Birch island in the town of Greenbush for the term of ten years, for the purpose of towing logs.

Privileges forfeited, unless boats are in operation within two years.

SECT. 2. Unless the boat or boats, provided for by this act, be put in actual operation within two years from the passage thereof, the power and privileges herein granted shall be forfeited and of no effect.

Interference with running, booming or rafting logs, not authorized.

SECT. 3. Nothing in this act shall authorize or be construed to interfere with the running, booming and rafting of logs in said river.

SECT. 4. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 305.**CHAP. 305**

An Act to amend "An Act to establish a Police Court in the city of Rockland," approved March fourteen, eighteen hundred and sixty-one.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Section thirteen of "An Act to establish a police court in the city of Rockland" is hereby amended by striking out in the seventh and eighth lines of said section, the words "such amount as the mayor and aldermen shall determine," and by inserting instead thereof the words 'five hundred dollars,' so that said section, as amended, shall read as follows ;

Sec. 13, ch. 78,
private laws
1861, amended.

'SECT. 13. Said city of Rockland shall have power, and it shall be its duty, to raise money to provide a suitable room in which to hold said court, and to furnish the same in an appropriate manner, including stationery, record books, fuel, lights, and other things necessary to accommodate said court. The judge of said court shall receive from said city in quarterly payments, at the close of each quarter, an annual salary of five hundred dollars, which shall be in full for all fees pertaining to said office ; and the judge of said court shall not act as counsel or attorney in any case within the jurisdiction of said court, nor in any such matter or thing which may depend on or have relation to in any case, matter or thing depending or cognizable in said court.'

Court room, etc.,
to be provided by
the city.

Salary of judge
established.

Judge not to act
as counsel.

SECT. 2. This act shall take effect when approved.

Approved March 2, 1883.

Chapter 306.

An Act to authorize the Trustees of Presque Isle Academy to sell and convey real and personal estate.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The trustees of Presque Isle Academy are hereby authorized to sell and convey any real or personal estate of said corporation, at private sale, for such price as they may deem reasonable.

Trustees author-
ized to sell
property.

Approved March 2, 1883.

CHAP. 307**Chapter 307.**

An Act additional to "An Act to incorporate the Passadumkeag Railroad Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Charter revived
and extended.

SECT. 1. "An Act to incorporate the Passadumkeag Railroad Company," approved January twenty-seven, eighteen hundred and seventy-one, and extended February twenty, eighteen hundred and seventy-four, for a term of six years, is hereby revived, and its provisions extended for a further term of six years.

SECT. 2. Said railroad company may, if it think best, commence its road at some point in the town of Passadumkeag.

Approved March 2, 1883.

Chapter 308.

An Act to incorporate the Rockland and Vinalhaven Telegraph and Telephone Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. F. S. Walls, J. P. Armbrust, Moses Webster, Nelson Mullin, Maynard Sumner, J. R. Bodwell, E. P. Walker, E. L. Estabrook, their associates, successors and assigns, are hereby created a body politic by the name of the Rockland and Vinalhaven Telegraph and Telephone Company, with all the powers, rights and privileges, and subject to all the duties and obligations, granted and prescribed by the general laws of this state relating to corporations.

Corporate name.

Route.

SECT. 2. Said corporation is hereby authorized to own, construct, maintain and operate a line or lines of telegraph and telephone from the city of Rockland, in the county of Knox, through Camden, Lincolnville, Northport, to the city of Belfast, in the county of Waldo, and from said Northport to Islesboro', North Haven, Vinalhaven, Hurricane Isle, Deer Isle and Castine, or from said Rockland, through South Thomaston, to North Haven, Vinalhaven, Hurricane Isle, Deer Isle, Castine and Islesboro', upon and along any public highway, railroad, bridge or private lands, but in such manner as not to incommode or endanger the customary public

use thereof, with the right to cut down trees and remove obstacles, when necessary, within the limits aforesaid, except ornamental, fruit or shade trees, and with the power to establish and collect tolls on said line or lines.

CHAP. 308

Powers.

SECT. 3. If the land of any individual or corporation is taken under this act, and the parties cannot agree on the damage occasioned thereby, they shall be estimated, secured and paid in the manner provided in case of land taken for railroads.

Damages, how estimated.

SECT. 4. Said corporation is hereby authorized and empowered to connect its line or lines with those of any other telegraph or telephone company or corporation, or to sell or lease its line or lines of telegraph and property and telephone and property, either before or after completion, to any other telegraph or telephone company or corporation, upon such terms as may be mutually agreed upon, which sale or lease shall be binding upon the parties; or may purchase or lease any other line or lines of telegraph or telephone upon such terms and conditions as may be mutually agreed upon.

Authorized to connect with, sell or lease to other lines, etc.

SECT. 5. The capital stock of said corporation shall be of such amount as said corporation may from time to time determine to be necessary, but not exceeding the sum of fifty thousand dollars, for the sole purpose of owning, constructing, maintaining and operating the line or lines of telegraph or telephone hereby authorized or contemplated, and said corporation may purchase, hold sell and convey all real and personal property necessary for the purposes contemplated in this charter.

Capital stock.

SECT. 6. Any two of the corporators named in this act may call the first meeting of the corporation, by mailing a written notice, signed by both, postage paid, to each of the other corporators, seven days at least before the day of the meeting, naming the time, place and purposes of such meeting, and at such meeting, a president, secretary, treasurer and directors may be chosen, by-laws adopted, and any corporate business transacted.

First meeting, how called.

Officers and by-laws.

SECT. 7. This act shall take effect when approved.

Approved March 2, 1883.

CHAP. 309

Chapter 309.

An Act to authorize the Ellsworth and Deer Isle Telegraph Company, to extend their line.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Company authorized to extend its line.

The Ellsworth and Deer Isle Telegraph Company is hereby authorized and empowered to extend their line from Ellsworth in the county of Hancock, to Bangor in the county of Penobscot, with the right to erect, maintain and operate the same, with the same privileges and subject to the same limitations and restrictions that are conferred and imposed upon said company, by their original act of incorporation, approved February nineteen, eighteen hundred and seventy-three.

Approved March 2, 1883.

Chapter 310.

An Act to amend "An Act relating to the Maine Wesleyan Seminary and Female College," approved February eight, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 4, ch. 195, private laws 1883, amended.

Section four of bill entitled "An Act relating to the Maine Wesleyan Seminary and Female College," approved February eight, eighteen hundred and eighty-three, is hereby amended by striking out the word "six" after the word "section," in the fifth line, and inserting in place thereof the word 'five,' so that, as amended, said section shall read as follows :

Trustees, number of, fixed.

'SECT. 4. The number of said board of trustees shall not, at any time, be less than twenty, nor more than twenty-five, except that the president of the faculty shall, ex-officio, be a member of the board for the time being, and as hereinafter provided in section five, two-thirds of whom shall be members of the Methodist Episcopal Church, in regular standing, and nine shall constitute a quorum for the transaction of business.'

—quorum.

Approved March 2, 1883.

Chapter 311.

CHAP. 311

An Act to ratify, confirm, legalize and make valid the acts and doings of the Bangor and Piscataquis Railroad Company, and of the city of Bangor, relative to the extension of the Bangor and Piscataquis Railroad.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The acts and doings of the city council of the city of Bangor, relative to the extension of the Bangor and Piscataquis Railroad, passed February twenty-eight, in the year of our Lord one thousand eight hundred and eighty-two, and ratified by a majority of the legal voters of the city of Bangor on the second Monday of March, in the year of our Lord one thousand eight hundred and eighty-two, and all the acts and doings of the Bangor and Piscataquis Railroad Company, and of the city of Bangor, and the voters thereof in the premises, including the contract made and executed January ten, in the year of our Lord one thousand eight hundred and eighty-three, relative to said extension, by and between said Bangor and Piscataquis Railroad Company and said city of Bangor, are hereby ratified, confirmed, legalized and made valid; and the mortgage to be made in pursuance thereof, shall take precedence of all mortgages and liens on said railroad now held and which may be hereafter held, by said city.

Doings of city council of Bangor and B. and P. R. R. Co. legalised.

Mortgage shall take precedence of all others.

SECT. 2. The action of the city council of the city of Bangor ordering the cancellation of the second mortgage bonds of said railroad company by the city treasurer, and a discharge of the mortgage securing the same, passed February nineteen, in the year of our Lord one thousand eight hundred and eighty-three, is hereby confirmed, and said city council shall not hereafter alter or rescind the same.

Cancellation of certain bonds by city treasurer, confirmed.

SECT. 3. This act shall take affect when approved.

Approved March 6, 1883.

CHAP. 312

Chapter 312.

An Act to authorize the removal of obstructions in the Sebasticook River.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Orrin S. Haskell
et als. authorized
to remove ob-
structions in
Sebasticook river.

SECT. 1. Orrin S. Haskell, A. H. Cornforth, Isaac H. Lancy, and their associates, who are owners of land bordering on the Sebasticook river, are hereby authorized to remove the accumulation of rocks and sand in said river, in the towns of Pittsfield and Burnham, called the Eelweir rapids, with the consent of the owners of said lands, for the purpose of making the lands more valuable.

SECT. 2. This act shall take effect when approved.

Approved March 6, 1883.

Chapter 313.

An Act to amend "An Act to incorporate the city of Rockland."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Sec. 17, ch. 380,
private laws of
1884, amended.

SECT. 1. Section seventeen of "An Act to incorporate the city of Rockland," is hereby amended by striking out the word "majority," in the sixth line thereof, and inserting the word 'plurality,' instead thereof, so that said section, as amended, shall read as follows :

Election of mayor
of city of Rock-
land.

—aldermen and
common council-
men.

'SECT. 17. The mayor shall be elected from the citizens at large, by the inhabitants of the city voting in their respective wards. One alderman and three common councilmen shall be elected by each ward, being residents in the wards where elected. All said officers shall be elected by ballot, by a plurality of the votes given, and shall hold their office one year from the first Monday of March, and until others shall be elected and qualified in their places.'

Sec. 19, amended.

SECT. 2. Section nineteen of said act, as amended by chapter two hundred and fifteen of the special laws of eighteen hundred and eighty, is hereby further amended so as to read as follows :

Annual election,
time, votes how
counted, declared
and certified.

'SECT. 19. On the first Monday of March, annually, immediately after a warden and clerk shall have been chosen and sworn, the qualified electors of each ward shall ballot for

a mayor, one alderman and three common councilmen; all the votes given for the said several officers respectively shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given for each, to be written on the ward records at length. The ward clerk within twenty-hours after such election, shall deliver to the persons elected aldermen and common councilmen by a plurality of votes given, certificates of their election, and shall forthwith deliver to the city clerk, a certified copy of the record of such election; *provided, however*, that if the choice of aldermen, common councilmen, constable, warden or clerk cannot be conveniently effected on that day, the meeting may adjourn from day to day to complete such election. If, on a subsequent trial, no choice of the aforesaid officers shall have been effected, the balloting shall be continued from day to day till a choice shall thus be effected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have received the greatest number of votes given for mayor in all the wards, to be notified in writing of his election; but if it shall appear that no person shall have been elected, or if the person elected shall refuse to accept the office, the said board shall issue their warrants for another election; and in case of a vacancy in the office of mayor, by death or otherwise, it shall be filled for the remainder of the term by a new election, in the manner heretofore provided for, in the choice of said mayor; and in the meantime the president pro tempore of the board of aldermen shall perform the duties of mayor. The oath prescribed by this act shall be administered to the mayor by the city clerk or any justice of the peace in said city. The aldermen and common councilmen elect, shall, on the second Monday of March, at ten o'clock in the forenoon, meet in convention, when the oath required by the second section of this act shall be administered to the members of the two boards present, by the mayor or any justice of the peace, and thereupon the two boards shall separate, and the board of common council shall be organized by the election of a president and clerk.

SECT. 3. This act shall take effect when approved.

Meeting may adjourn from day to day.

Subsequent trial, result, how determined.

Aldermen to examine certificates and notify mayor elect.

If no election, may order another.

Vacancy to be filled by new election.

Meeting of aldermen and councilmen elect.

Oath of office.

Election of president and clerk of council.

Chapter 314.

An Act to incorporate the Shirley Dam Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Lewis F. Stratton, Frank Gilman, William Engel, Levi C. Flint and John H. Eveleth, their associates and assigns, are hereby incorporated under the name of the Shirley Dam Company, with all the powers and privileges of similar corporations.

Corporate name.

Authorized to build dams, etc.

SECT. 2. The said corporation is authorized to build dams, side dams, remove rocks, and make other improvements, in so much of Piscataquis river, its branches and tributaries, as are in the towns of Shirley and Blanchard, in the county of Piscataquis, to facilitate the driving of logs and lumber down the same, and for this purpose, the said corporation may take land and materials necessary to build such dams and make such improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water ; and if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the land and materials so taken, such damages shall be ascertained and determined by the county commissioners for the county of Piscataquis, in the same manner and under the same conditions and limitations as are by law provided in the case of damage by laying out public highways ; and for the damage occasioned by flowing land, the said corporation shall not be liable to an action at common law, but the person injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands occasioned by raising a head of water for the working of mills.

—may take lands.

Damages, how ascertained.

Damage for flowing, remedy for.

Tolls fixed.

SECT. 3. The said corporation may demand and receive a toll for the passage of logs over their said dams and improvements, of twenty-five cents for each thousand feet, board measure, woods scale, except for the logs put into said waters below the south line of the town of Shirley, the toll on which, shall be fifteen cents for each thousand feet, board measure, woods scale ; and said corporation shall have a lien upon all logs which may pass over any of its said dams and improvements for the payment of said tolls, but the logs of each particular mark shall be holden only for the tolls of such

Lien for payment of tolls.

mark, and unless such toll is paid within twenty days after such logs, or a major part of them, shall arrive at the Penobscot boom, or place of manufacture, said corporation may seize said logs, and sell at public auction so many thereof as shall be necessary to pay such toll and costs and charges; notice of the time and place of such sale, ten days before such sale, being first given in some newspaper printed in Bangor; and when the said corporation shall, from tolls, be reimbursed for its expenditures and eight per cent interest thereon, the tolls shall cease.

CHAP. 315

Logs may be sold.

Cost of dam, how paid.

SECT. 4. This act shall take effect when approved.

Approved March 6, 1883.

Chapter 315.

An Act to authorize the town of Old Orchard to loan its credit.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. The town of Old Orchard is hereby authorized to loan its credit to an amount not exceeding ten thousand dollars, for the purpose of making the improvements named in sections four and five of the act entitled "An Act to incorporate the town of Old Orchard," approved February twenty, eighteen hundred and eighty-three.

Town of Old Orchard authorized to loan its credit.

SECT. 2. Said loan may be by the notes or bonds of said town of Old Orchard, signed in its behalf by the selectmen thereof, and countersigned by its treasurer, and may be upon such time and rate of interest as the town, at a legal meeting, shall determine. Such loan shall be a lien upon the taxable property situated within the limits described in section four and five of said act of incorporation, and shall be paid by a separate tax assessed upon the polls and estates within said limits.

Loan may be by notes or bonds.

—shall be lien on property of town.

SECT. 3. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 316.

An Act to incorporate the Brunswick Odd Fellows' Building Association.

Whereas, the objects of this corporation cannot otherwise be obtained, therefore :—

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. George D. Parks, William B. Knight, Charles E. Townsend, Frederick H. Wilson, William B. Woodard, Frank E. Roberts, Amos O. Reed, John P. Hall, Isaac H. Danforth, and all persons who may hereafter be associated with them, are hereby created a corporation, by the name of

Corporate name.

Purpose.

the Brunswick Odd Fellows' Building Association, for the purpose of erecting and owning a block or building in Brunswick, which shall contain a hall and other rooms, and by that name shall have power to sue and be sued, and possess all the rights and privileges, and be subject to all the liabilities of like corporations, under the laws of this state.

Powers.

SECT. 2. Said corporation shall have power to elect such officers as it may deem necessary, hold real or personal property not exceeding fifteen thousand dollars, adopt such constitution and by-laws, not contrary to the laws of this state, as it deems proper for the management of its affairs, including the admission and expulsion of members, and the regulation of the relations of such members to the property of the association, upon leaving the same.

First meeting,
how called.

SECT. 3. The first meeting of the corporation shall be called by any one of the incorporators, giving notice of the time and place of such meeting by letter, to the several persons named in this act, seven days at least, before the day of such meeting, and his affidavit shall be sufficient proof of the giving of such notice.

SECT. 4. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 317.**CHAP. 317**

An Act to repeal chapter two hundred and seven of the Private and Special Laws of eighteen hundred and eighty, being an act to regulate the taking of fish in Dexter Pond.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Chapter two hundred and seven of the private and special laws of eighteen hundred and eighty, relating to the taking of fish in Dexter pond is hereby repealed.

Ch. 207, private laws 1880, repealed.

Approved March 7, 1883.

Chapter 318.

An Act to amend the charter of the city of Bath.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The city council of the city of Bath shall have exclusive authority to lay out, alter, widen, or discontinue any and all streets or public ways in said city, and as far as extreme low water mark, without petition therefor, all proceedings under this act to be in conformity to the provisions of chapter twenty-six of the public laws of the year eighteen hundred and seventy-two.

City council of Bath to have exclusive authority over streets in said city.

Approved March 7, 1883.

Chapter 319.

An Act relating to Drains and Sewers in the City of Bath.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. It shall be the duty of the municipal officers of the city of Bath, before commencing the construction of any public drain or common sewer, to give notice of their intention to construct said drain or sewer, to appoint a time and place for a hearing in regard to the same, and give notice thereof by publishing the same for three successive weeks in some newspaper published in Bath. When said drain or sewer is completed, they shall adjudge what parcels of land

Municipal officers of Bath to give notice of intention to construct drains and sewers.

CHAP. 319

Expense of construction, how estimated and assessed.

Location of drain and assessments to be recorded.

Notice of assessment and hearing thereon, how given.

Assessments may be revised.

Appeals from doings of officers may be taken to S. J. court.

are benefited by such drain or sewer, and estimate and assess upon such lots and parcels of land, and against the owner thereof, if known, such sum, not exceeding such benefit, as they may deem just and equitable, towards defraying the expenses of constructing and completing such drain or sewer, the whole of said assessments not to exceed one-half of the cost of such drain or sewer, and such drain or sewer shall forever thereafter be maintained and kept in repair by said city; such municipal officers shall file with the clerk of said city the location of such drain or sewer, with the amount assessed upon each lot or parcel of land so assessed, and the name of the owner of each lot or parcel of land, if known, and the clerk of said city shall record the same in a book kept for that purpose, and within ten days after filing such notice, each person so assessed shall be notified of such assessment, by having an authentic copy of said assessment, with an order of notice signed by the clerk, stating a time and place for a hearing on the subject matter of said assessments, giving to each person so assessed, or left at his usual place of abode in said city; if he has no place of abode in said city, then such notice shall be given to, or left at the abode of his tenant or lessee, if he has one in said city; if he has no such tenant or lessee in the said city, then by posting the same in some conspicuous place in the vicinity of the lot or parcel of land so assessed, at least thirty days before said hearing, or such notice may be given by publishing the same three weeks, successively, in any newspaper published in said city, the first publication to be at least thirty days before said hearing; a return made of a copy of such notice by any constable in said city, or the production of the paper containing such notice, shall be conclusive evidence that said notice has been given, and upon such hearing the municipal officers shall have power to revise, increase or diminish any of such assessments, and all such revision, increase or diminution shall be in writing, and recorded by such clerk.

SECT. 2. Any person who is aggrieved by the doings of said municipal officers in laying out and constructing said sewer, or in making said assessments, may appeal therefrom to the next term of the supreme judicial court which shall be holden in the county of Sagadahoc, more than thirty days from and after the day when the hearing last mentioned, is

concluded, excluding the day of the commencement of the session of said court, the applicants shall serve written notice of such appeal upon the mayor or city clerk, fourteen days at least, before the session of the court, and shall, at the first term, file a complaint setting forth substantially the facts in the case; either party shall be entitled to a trial by jury, or the matter in dispute may, if the parties so agree, be decided by a committee of reference, and the court shall render such judgment and decree in the premises as the nature of the case may require; at the trial, exceptions may be taken to the ruling of the judge, as in other cases.

Either party
entitled to trial
by jury.

Exceptions may
be taken to ruling
of judge.

SECT. 3. Any person may enter his private drain into any such public drain or common sewer while the same is under construction and before the same is completed, and before the assessments are made, on obtaining a permit in writing from the municipal officers, or the committee having the construction of the same in charge; but after the same is completed, and the assessments made, no person shall enter his private drain into the same until he has paid his assessment and obtained a permit in writing from the municipal officers. All permits given to enter any such drain or sewer shall be recorded by the city clerk of said city, before the same is issued.

Conditions upon
which private
drains may be
entered into pub-
lic sewers.

Permits to be
recorded.

SECT. 4. All assessments made under the provisions of this act, shall create a lien upon each and every lot or parcel of land so assessed, which lien shall continue one year after said assessments are payable, and within ten days after they are made; the clerk of said city shall make out a list of all such assessments, the amount of each assessment, and the name of the person, if known, against whom the same is assessed, to be by him certified; and he shall deliver the same to the treasurer of said city, and if said assessments are not paid within three months from the date of said assessments, then the treasurer shall proceed and sell such of said lots or parcels of land upon which said assessments remain unpaid, or so much thereof, at public auction, as is necessary to pay such assessments, and all costs and incidental charges, in the same way and manner that real estate is advertised and sold for taxes under chapter six of the revised statutes, which sale shall be made within one year from the time said assessments are made; and upon such sale, the treasurer shall make,

Lien for payment
of assessments.

Lots of land may
be sold.

CHAP. 319

Lots may be redeemed.

If assessments are not paid or enforced by sale, city may maintain action.

Inconsistent acts repealed.
Repeal not to affect any sewer already constructed, etc.

Act to apply to drains already constructed.

When act shall take effect.

execute and deliver his deed to the purchaser thereof, which shall be good and effectual to pass the title to such real estate.

SECT. 5. Any person to whom the right by law belongs, may, at any time within one year from the date of said sale, redeem such real estate by paying to the purchaser or his assigns, the sum for which the same was sold, with interest thereon at the rate of twenty per cent per annum, with costs for re-conveyance.

SECT. 6. If said assessments are not paid, and said city does not proceed to collect said assessments by a sale of the lots or parcels of land upon which said assessments are made, or does not collect, or is in any manner delayed or defeated in collecting such assessments by a sale of the real estate so assessed, then the said city, in the name of the inhabitants of said city, or in the name of such city, may sue for and maintain an action against the party so assessed, for the amount of said assessment as for money paid, laid out and expended, in any court competent to try the same, and in such suit, may recover the amount of such assessment, with twelve per cent per annum interest on the same from the date of said assessment, and costs.

SECT. 7. All acts and parts of acts inconsistent with this act are hereby repealed. This act and repeal shall not apply to, or affect any drain or common sewer constructed, or assessment made, prior to the approval of this act.

SECT. 8. The provisions of this act shall apply to drains or sewers already constructed by said city of Bath, within its limits, but said city shall not hereby be authorized to assess any further tax upon persons whose estates are now connected with any drain or sewer already constructed within said city, in case the assessment for such connection has been paid.

SECT. 9. This act shall take effect when accepted by the city council of Bath.

Approved March 7, 1883.

Chapter 320.**CHAP. 320**

An Act to extend the time for the organization of the Union Accident Insurance Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The time for organizing the Union Accident Insurance Company, incorporated by an act approved March four, eighteen hundred and seventy-nine, is hereby extended to the fourth day of April, one thousand eight hundred and eighty-five.

Time for organizing U. A. Ins. Co., extended.

Approved March 7, 1883.

Chapter 321.

An Act to authorize the navigation, by steam, of the Range ponds in the town of Poland.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. William T. Barton, Hiram W. Ricker and John S. Briggs, their associates and assigns, are hereby authorized to clear channels, dredge bars, and remove stones in the three Range ponds and the streams connecting the same, in the town of Poland, Androscoggin county, and they are hereby vested with the exclusive right, against all other persons and corporations, of employing and navigating every kind of boat or water craft, propelled by steam, for carrying passengers or freight on said ponds and streams for the term of ten years from the time when this act shall take effect.

William T. Barton et als., vested with exclusive right to navigate Range ponds by steam.

SECT. 2. Any person or corporation who shall use or employ, on said lakes or streams, any boat or other water craft propelled by steam, as carriers of freight or passengers without being authorized by the persons named in section one of this act, their associates or assigns, shall forfeit, for each offense, not less than twenty dollars nor more than one hundred dollars, to be recovered by and for the use of said corporations, their associates and assigns, in an action of debt.

Penalty for infringement of right.

SECT. 3. Nothing in this act shall be construed as authorizing any encroachment upon the highways and bridges in said town; or as imposing any liability or obligation on the

Encroachment upon highways, not authorized.

CHAP. 322

When act be-
comes void

part of said town to provide draws or passage-ways across said highways and bridges; but all such expenses shall be borne by the persons named in this act, their associates or assigns.

SECT. 4. Provided, that if the persons named in this act, their associates or assigns, shall for the term of two years after the passage of this act, fail to navigate said waters by steam and to provide suitable conveyance for passengers and freight over the same, then this act shall be void.

SECT. 5. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 323.

An Act authorizing Fayette Shaw and others, to erect and maintain a telephone line from Princeton to Grand Lake Stream.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Fayette Shaw et
als., authorized to
erect a telephone
line.

Fayette Shaw, Brackley Shaw and Walter D. Shaw are authorized to erect and maintain a telephone wire and poles to support the same, along the highway over Indian township, between Princeton and Grand Lake stream, in the county of Washington.

Approved March 7, 1883.

Chapter 323.

An Act to amend "An Act to charter the City of Biddeford."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Section 18 of the
charter of the city
of Biddeford,
amended.

SECT. 1. Section eighteen of the charter of the city of Biddeford, is hereby amended by striking out the words, "by a majority of the votes given," so that the section, as amended, shall read:

'SECT. 18. The mayor shall be elected from the citizens at large, by the inhabitants of the city, voting in their respective wards; one alderman and three common councilmen shall be elected by each ward, being residents in the wards where elected; all said officers shall be elected by ballot, and shall hold their offices one year from the third Monday in March, and until others shall be elected in their places.'

CHAP. 323

Mayor, aldermen
and councilmen,
election of.

SECT. 2. Section twenty is hereby amended by striking out the words, "if on second balloting for any alderman, common councilman, constable, warden or clerk, a choice shall not be effected by a majority vote, then the person receiving the highest number of votes for any of those offices at the subsequent trial," and inserting in place thereof the words, 'the person receiving the highest number of votes for aldermen, common councilman, constable, warden or clerk,' also, by striking out the words, "by a majority of the votes given in all the wards," and inserting the words, 'in balloting for mayor, the person receiving the highest number of votes, given in all the wards, shall be declared elected;' also by striking out the words, "the said board shall issue their warrants for another election, and in case the citizens shall fail, on a second ballot, to elect a mayor, the said board shall again issue their warrants for a third election, to be held not less than three, nor more than four days thereafter, at which election the candidate having the greatest number of votes shall be declared elected, and notified as aforesaid," so that the section, as amended, shall read:

Sec. 20, amended.

'SECT. 20. On the second Monday in March, annually, immediately after a warden and clerk shall have been elected and sworn, the qualified electors of each ward shall ballot for a mayor, one alderman and three common councilmen; all the votes given for the said several officers, respectively, shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for, and the number of votes given to each, to be written on the ward record at length. The ward clerk, within twenty-four hours after such election, shall deliver to the persons elected alderman and common councilmen, certificates of their election, and shall forthwith deliver to the city clerk, a certified copy of the record of such election; *provided, however*, that if the

Annual election,
time, votes how
counted, declared
and certified.

CHAP. 323

Meeting may
adjourn from day
to day.

Proceedings in
case of no elec-
tion.

Aldermen to
examine certifi-
cates and notify
mayor elect.

May order further
elections.

Vacancy to be
filled by new
election.

Meeting of alder-
men and council-
men elect.

Oath of office.

choice of aldermen and common councilmen, cannot conveniently be effected on that day, the meeting may be adjourned from day to day, to complete such election. The persons receiving the highest number of votes for alderman, common councilmen, constable, warden or clerk, shall be declared elected. If no one shall then have such highest number, the balloting shall be continued from day to day, until a choice is thus effected. In balloting for mayor, the person receiving the highest number of votes, given in all the wards, shall be declared elected. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have been elected mayor, to be notified, in writing, of his election, but if it shall appear that no person shall have been elected, or if the person elected shall refuse to accept the office, further elections shall, in the same manner, be ordered till a choice shall be made by some one having the highest number of votes, and in case of a vacancy in the office of mayor, by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election, in the manner hereinbefore provided for the choice of said officer; and in the meantime, the president *pro tempore* of the board of aldermen shall perform the duties of mayor. The oath prescribed by this act shall be administered to the mayor, by the city clerk, or any justice of the peace in said city. The aldermen and common councilmen elect, shall, on the third Monday of March, at ten of the clock in the forenoon, meet in convention, when the oath required by the second section of this act, shall be administered to the members of the two boards present, by the mayor, or any justice of the peace, and, thereupon, the two boards shall separate, and the board of common council shall be organized by the election of a president and clerk.'

SECT. 3. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 324.**CHAP. 324**

An Act to extend the charter of the Livermore Bridge Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The charter of the Livermore Falls bridge, approved March eighteen, eighteen hundred and fifty-six, is hereby extended twenty-five years from the time of its expiration, with all the rights, privileges and liabilities therein granted, provided the towns of Livermore, East Livermore, and the county of Androscoggin, or one or two of them, shall have the right, at any time, upon payment to said corporation of the sum of nine thousand dollars, to acquire all the franchises of said corporation, its toll bridge, gates, toll house, approaches to the bridge, and all other appurtenances of said bridge ; and said corporation, by accepting or assenting to the renewal of its charter, as aforesaid, agrees and is holden to convey the franchises and property aforesaid, upon the receipt of said sum. Any mortgage, attachment or other incumbrances, which may hereafter be put upon said franchises or property, shall be subject to the provisions of this section, and shall not prevent said towns or county from acquiring an unincumbered title ; and said towns and county, and each of them, which may desire to acquire said franchise and property, are hereby authorized to appropriate and expend the money aforesaid, for the purposes aforesaid, and to maintain said bridge and appurtenances, after the same is acquired, and to determine whether to maintain it as a free bridge or toll bridge.

Charter of Livermore Falls bridge, extended.

Livermore and East Livermore, authorised to purchase.

Future mortgages on the franchises, to be subject to provisions of this act.

Towns authorized to appropriate money for purchase of bridge.

SECT. 2. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 325.

An Act to revise and amend the charter of the city of Calais.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The inhabitants of Calais shall continue to be a body politic and corporate by the name of the city of Calais, and as such shall have, exercise and enjoy all the rights,

Corporate name.

CHAP. 325

Rights, powers
and privileges.

May ordain by-
laws and regula-
tions.

Municipal affairs
vested in mayor,
aldermen and
common council.

Mayor to be chief
executive magis-
trate.
Duties and pow-
ers of mayor.

Salary fixed.

Laws, etc., to be
approved by
mayor.

immunities, powers, privileges and franchises, and shall be subject to all the duties and obligations now appertaining to or incumbent upon said city, or the inhabitants or municipal authorities thereof; and may ordain reasonable by-laws and regulations for municipal purposes, and impose penalties for the breach thereof, not exceeding one hundred dollars, to be recovered for such uses as the municipal authorities may appoint.

SECT. 2. The administration of all the fiscal, prudential and municipal affairs of said city, with the government thereof, shall be vested in one principal magistrate to be styled the mayor, and one council of seven to be denominated the board of aldermen, all of whom shall be inhabitants of said city, which board shall constitute and be called the city council; and shall be sworn or affirmed in the form prescribed by the constitution of the state for state officers.

SECT. 3. The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws of the state and ordinances and regulations of the city to be executed and enforced; to exercise a general supervision over the conduct of all subordinate officers, and to cause violations or neglect of duty on their part to be punished. He shall, from time to time, communicate to the city council such information, and recommend such measures as the interests of the city may require. He shall preside at all meetings of the mayor and aldermen, but shall have only a casting vote. He shall be compensated for his services by a salary to be fixed by the city council, payable at stated periods, and shall receive therefor no other compensation, which salary, however, shall not be increased or diminished during his year of office.

SECT. 4. Every law, act, ordinance, resolve or order of the city council, excepting rules and orders of a parliamentary character, shall be presented to the mayor. If not approved by him he shall return it, with his objections, at the next stated session of the city council, which shall enter the objections at large on its journal and proceed to reconsider the same. If, upon such reconsideration, it shall be passed by vote of two-thirds of all the members, it shall have the same force as if approved by the mayor. In case of vacancy in

the mayor's office, this section shall not apply to any act of CHAP. 325
the council.

SECT. 5. The executive powers of said city generally, and the administration of police and health departments, with all the powers of selectmen, and all the powers of establishing watch and ward, now vested by the laws of the state in the justices of the peace and municipal officers or inhabitants of towns, are vested in the mayor and aldermen, so far as relates to said city; and they are authorized to unite the watch and police departments into one department and establish suitable regulations for the government of the same. The officers of police shall be one chief, to be styled the city marshal, so many deputy marshals as the city council may by ordinance prescribe, and so many watchmen and policemen as the mayor and aldermen may from time to time appoint. All powers relating to the fire department shall be vested in the council, which may establish all needful regulations in relation thereto. The council shall keep a record of all its proceedings, judge of the election of its members and in case of any vacancy in the office of mayor or alderman, new elections shall be ordered, as other elections are, to be held within twenty days after the vacancy occurs.

Powers vested in mayor and aldermen.

City marshal and deputies.

Powers relating to fire department vested in council.

Vacancies, how filled.

SECT. 6. The compensation of all subordinate city officers whatsoever, shall be fixed by the city council. All officers of the police and health departments shall be appointed by the mayor and aldermen, and may be removed by them for good cause. All other subordinate officers shall be elected by the city council, and may be removed by them for cause. Except as otherwise provided in this act, all subordinate officers shall be elected annually, on the second Monday of April, or as soon thereafter as may be, and their term of office shall be for one year and until their successors are chosen and qualified. All vacancies in subordinate offices may be filled by the council.

Election or appointment of subordinate officers and compensation.

May be removed for cause.

SECT. 7. No money shall be paid out of the city treasury except upon orders signed by the mayor, designating the fund or appropriation from which payment is to be made; nor unless the same shall first have been granted or appropriated by the council; and the city council shall secure a prompt and just accountability, by requiring bonds with sufficient penalty and surety, or sureties, from all persons

Payment of money from treasury, etc.

CHAP. 325

City buildings
and property,
custody and
management of.

Shall publish
annually an
account of
receipts and
expenditures.

Assessors, their
election, powers
and duties.

Assessment and
collection of
taxes.

Overseers of poor,
election of.

Wards.

Warden, clerk
and constable,
election of.

entrusted with the receipt, custody or disbursement of money ; they shall have the care and superintendence of the city buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase and take in the name of the city, real and personal property, for municipal purposes, to an amount not exceeding two hundred thousand dollars in addition to that now held by the city. And shall, as often as once a year, caused to be published, for the information of the inhabitants, a particular account of receipts and expenditures and a schedule of city property.

SECT. 8. The assessors shall continue to be elected on the second Monday in March. At the first election thereof under this act, three persons shall be elected assessors, one of whom shall be elected for one year, and one for two years and one for three years, and at each subsequent election one assessor shall be elected for three years, each of whom shall continue in office until some other person shall have been elected and qualified in his place. The city council may, in their discretion, elect an assistant assessor in each ward, whose duty it shall be to furnish the assessors with all the necessary information relative to persons and property taxable in his ward ; he shall be sworn or affirmed to the faithful performance of his duty. All taxes shall be assessed, apportioned and collected in the manner prescribed by the laws of this state relative to town taxes, except as herein modified ; and the city council may establish further, or additional provisions, for the collection thereof and of interest thereon. There shall be elected at the elections of subordinate officers, under this act, not more than three persons for overseers of the poor and work-house.

SECT. 9. The city shall remain divided into seven wards, and ward seven shall remain as now divided into district number one and district number two, and the council may, once in ten years, revise, and if needful, alter the ward and district lines so as to preserve, as nearly as may be, an equal number of voters in each ward. In each of said wards and districts, at the annual city election, there shall be elected a warden, clerk and constable, who shall be sworn by any justice of the peace, or person presiding at said ward meeting, and a certificate thereof shall be entered by the clerk on

the ward records. The wardens shall preside at all ward meetings with the powers of moderators of town meetings. If, at any meeting, the warden is not present, or does not preside, the clerk, or in his absence, or on his refusal to act, any voter in said ward or district, may call the meeting to order and preside until the vacancy is filled by election of a warden or clerk *pro tempore*. The clerk shall record all proceedings and certify the votes given, and the city council may fix the compensation of the wardens and clerks, and require them to deposit with the city clerk, in proper form, all records and documents required of or entrusted to them, before receiving any pay. All regular ward meetings, except as herein provided, shall be notified and called by warrant from the mayor and aldermen, in such form as the city council may by ordinance direct, or as prescribed by law for calling town meetings by selectmen. In ward seven, the clerk of district number two shall, as soon as the vote is ascertained, certify the votes of his district to the clerk of district number one, who shall certify the votes of the whole ward, as herein required of ward clerks.

CHAP. 325

Wardens shall
preside at ward
meetings.

Duties of clerk

Ward meetings,
how called.Votes in ward
seven, how
certified.

SECT. 10. On the first Monday in April, annually, the qualified voters of each ward shall vote on one ballot for the warden, clerk and constable, as aforesaid, and also for mayor and one alderman, all of which officers, except the mayor, shall be residents of the ward or district where elected. All said officers shall be elected by ballot by a majority of the votes given, and shall hold their offices one year from the second Monday in April, and until others shall be elected and qualified in their places. All city and ward officers shall be held to discharge the duties of the offices to which they have been respectively elected, notwithstanding their removal, after their election, out of their respective wards into any other wards in the city; but they shall not so be held after they have taken up their permanent residence out of the city. The ward clerk, within twenty-four hours after such election, shall deliver to the ward officers elected, certificates of their election, and shall forthwith deliver to the city clerk a certified copy of the record of such election, a plain and intelligible abstract of which shall be entered by the city clerk on the city records. If the choice of any such officers is not effected on that day, the meeting shall be adjourned to another

Annual election.

Term of office.

Ward clerk to
deliver certifi-
cates of election
to ward officers.Elections at
adjourned meet-
ings, how de-
termined.

CHAP. 325

Aldermen to
cause mayor to
be notified.

Proceedings if
mayor is not
elected at first
meeting.

Vacancy in office
of mayor, how
filled.

Oaths.

Council to deter-
mine times of
holding meetings
of board.

Mayor may call
special meetings.

Permanent chair-
man, duties and
powers.

President pro
tempore, powers
and duties of city
clerk.

day, not more than two days thereafter, to complete such election; and at this adjourned meeting a plurality of votes shall elect. The board of aldermen shall, as soon as conveniently may be, examine the copies of the records of the several wards, certified as aforesaid, and shall cause the person who shall have been elected mayor by a majority of the votes given in all the wards to be notified in writing of his election. But if it shall appear that no person shall have been so elected, or if the person elected shall refuse to accept the office, the said board shall issue their warrants for another election, and a plurality shall then elect instead of a majority; and in case of a vacancy in the office of mayor by death, resignation or otherwise, it shall be filled for the remainder of the term by a new election, to be called as herein provided, and held within twenty days after the vacancy occurs. The oath or affirmation prescribed by this act shall be administered to the mayor by the city clerk or any justice of the peace in said city. The aldermen elect shall meet on the second Monday in April, at ten o'clock in the forenoon, when the oath or affirmation required by the second section of this act shall be administered to the members present, by the mayor or any justice of the peace. The city council shall, by ordinance determine the times of holding stated or regular meetings of the board, and shall also in like manner, determine the manner of calling special meetings and the persons by whom the same shall be called; but until otherwise provided by ordinance, special meetings shall be called by the mayor by causing a notification to be left at the usual residence or place of business of each member.

SECT. 11. After the organization of a city government and the qualification of a mayor, and when a quorum of the board of aldermen shall be present, said board, the mayor presiding, shall proceed to choose a permanent chairman, who, in the absence of the mayor, shall preside at all meetings of the board, and in case of any vacancy in the office of mayor, he shall exercise all the powers and perform all the duties of the office so long as such vacancy shall remain; he shall continue to have a vote in the board, but shall not have the veto power. The board of aldermen, in the absence of the mayor and permanent chairman, shall choose a president *pro tempore*, who shall exercise the powers of a permanent chairman. The

city clerk shall be clerk of said board and have all the powers and duties of town clerks and such other duties as the council may prescribe, and in his absence the council may elect a clerk *pro tempore*.

SECT. 12. The city council, in behalf of the city, may offer rewards for the prevention of crimes or detection of criminals. They may also require all sail-boats, not under register or license, kept for hire in said harbor, to be examined and licensed for that purpose, and to be furnished with air tight compartments; and may establish such regulations respecting such boats as they may deem expedient. They may also make and enforce by penalties, regulations respecting the enclosure of lots, abutting on any street or way in the city, which may for want of such enclosure, be dangerous to the public; and after notice to the owners or lessees of such lots, may, if the same are not enclosed in a reasonable time, cause the same to be enclosed at the expense of the owners or lessees. They may assess money for celebration of the anniversary of our National Independence and other public celebrations. They may pass ordinances and enforce the same by suitable penalties, regulating the standing of teams in the streets.

Powers and
duties of city
council.

SECT. 13. General meetings of the citizens qualified to vote in city affairs may, from time to time, be held to consult upon the public good; to instruct their representatives, and to take all lawful measures to obtain redress of any grievances according to the right secured to the people by the constitution of this state; and such meetings shall be duly warned by the mayor and aldermen upon requisition of forty qualified voters. The city clerk shall act as clerk of such meetings and record the proceedings upon the city records.

General meetings,
how and for what
purpose called.

SECT. 14. The aldermen shall not be entitled to receive any salary or other compensation during the year for which they are elected, nor be eligible to any office of profit or emolument, the salary of which is payable by the city during said term; and all departments, boards, officers and committees acting under the authority of the city and entrusted with the expenditure of public money shall expend the same for no other purpose than that for which it is appropriated, and shall be accountable therefor to the city in such manner as the city council may direct.

Aldermen not to
receive compensation.

Expenditure of
public money.

CHAP. 325

Streets, power of
city council to
lay out, etc.

Remedy if any
party is
aggrieved.

SECT. 15. The city council shall have exclusive authority to lay out, widen or otherwise alter or discontinue any and all streets or public ways in said city, and as far as extreme low water mark, and to estimate all damages sustained by owners of land taken for such purpose. A committee of the council shall be appointed whose duty shall be to lay out, alter, widen or discontinue any street or way, first giving notice of the time and place of their proceedings to all parties interested, by an advertisement in a newspaper printed in Calais, for three weeks at least, next previous to the time appointed. The committee shall first hear all parties interested and then determine and adjudge whether the public convenience requires such street or way to be laid out, altered or discontinued; and shall make a written return of their proceedings, signed by a majority of them, containing the bounds and descriptions of the street or way, if laid out or altered, and the names of the owners of the land taken, when known, and the damages allowed therefor; the return shall be filed in the city clerk's office at least seven days previous to its acceptance by the city council. The street or way shall not be altered or established until the report is accepted by the city council, and the report shall not be altered or amended before its acceptance. A street or way shall not be discontinued by the city council, excepting upon the report of said committee. The committee shall estimate and report the damages sustained by the owners of the lands adjoining that portion of the street or way which is so discontinued; their report shall be filed with the city clerk seven days at least before its acceptance. Any party aggrieved at their decision may appeal therefrom as provided by law in the case of town ways. If a street or way is discontinued before the damages are paid or recovered for the land taken, the land owner shall not be entitled to recover such damages but the committee in their report discontinuing the same shall estimate and include all the damages sustained by the land owner, including those caused by the original location of the streets; and in such cases, if an appeal has been regularly taken, the appellant shall recover his costs. The city shall not be compelled to construct or open any street or way thus hereafter established, until in the opinion of the city council the public good requires it to be done; nor shall the city interfere with the possession

of the land so taken by removing therefrom materials or otherwise, until they decide to open said street. The city council may regulate the height and width of sidewalks in any public square, places, streets, lanes or alleys in said city; and may authorize posts and trees to be placed along the edge of sidewalks; and may locate and construct reservoirs within the limits of any street or way in said city whenever they deem it needful for protection against fire; and the city shall not be liable for any damages caused by such posts, trees and reservoirs, nor by any poles or wires erected in its streets by any parties authorized by law so to do.

Posts and trees may be placed along the edge of sidewalks.

Liability of city for damages.

SECT. 16. Whenever the city council shall lay out any new street, or alter or discontinue any street or way, it shall be lawful for said council, by its committee, to apportion any land damages estimated and allowed by them, together with the estimated cost of constructing, widening, altering or discontinuing said way, or such part of said damages and cost as they deem just, upon the lots or parcels of land adjacent to and bounded on such street or way, in such proportion as in their opinion such lots or parcels are benefitted or enhanced in value by such laying out, altering or discontinuing said street or way, and the duties, rights and remedies of all concerned as to the said assessment and its collection or appeal therefrom, shall be the same as provided by chapter twenty-six, acts of eighteen hundred and seventy-two, and acts additional or amendatory thereto.

Land damages and costs, how estimated and apportioned.

SECT. 17. The mayor and aldermen of said city may, on public occasions, by their order, forbid the passing, temporarily, of horses, carriages or other vehicles, over or through such streets or ways in said city as they may deem expedient. No existing wharf shall be extended into the harbor a greater distance below low water mark than the same now exists, and hereafter no new wharf shall be extended below low water mark into the harbor, without, in either case, the written assent of the mayor and aldermen. The mayor may on such terms and conditions as he may think proper, authorize and empower any person or corporation to place in any street for such time as may be necessary, any materials for making or repairing any street, sidewalk, crosswalk, bridge, watercourse or drain, or for erecting, repairing or finishing any building or fences, or for laying or repairing

Mayor and aldermen may, temporarily, close streets to travel.

—may regulate extension of wharves.

Mayor may authorize placing materials in streets for repair of same.

CHAP. 325

City not liable
for damages
arising therefrom.

Obstructions, etc.,
placed in any
street without
authority, to
be deemed a
nuisance.

Municipal officers
shall give notice
before construct-
ing any drain or
sewer.

Expenses of con-
struction, how
estimated and
defrayed.

gas or water pipes; *provided*, that not more than one-half of the width of the street shall be so occupied. And such material so placed shall not be considered an obstruction, nor shall the city be answerable for any damages arising therefrom. The city council is authorized to permit any persons or corporations to lay down, in and through the streets of the city, and to take up, replace and repair all such pipes and fixtures as may be necessary for the objects of their incorporation, and under such restrictions and regulations as said city council may see fit to prescribe. And any obstruction in any street of the city, or taking up or displacement of any portion of any street, without such consent of the city council or contrary to the restrictions or regulations that may be prescribed as aforesaid, shall be considered a nuisance. And such persons or company shall be liable to indictment therefor, and to all the provisions of law applicable thereto.

SECT. 18. It shall be the duty of the municipal officers of the city, before commencing the construction of any public drain or common sewer, to give notice of their intention to construct said drain or sewer, to appoint a time and place for a hearing in regard to the same, and give notice thereof, by publishing the same for three successive weeks in some newspaper published in Calais. When said drain or sewer is completed, they shall adjudge what parcels of land are benefitted by such drain or sewer, and estimate and assess upon such lots and parcels of land, and against the owner thereof, if known, such sum, not exceeding such benefit, as they may deem just and equitable, towards defraying the expenses of constructing and completing such drain or sewer, the whole of said assessments not to exceed two-thirds of the cost of such drain or sewer, and such drain or sewer shall forever thereafter be maintained and kept in repair by said city; such municipal officers shall file with the clerk of said city the location of such drain or sewer, with a profile description of the same, with the amount assessed upon each lot or parcel of land so assessed, and the name of the owner of each lot or parcel of land, if known, and the clerk of said city shall record the same in a book kept for that purpose; and the subsequent proceedings, and rights, duties and remedies of all concerned shall be the same as herein provided concerning

assessments for laying out, altering or discontinuing streets or ways. CHAP. 325

SECT. 19. No person shall enter his private drain into any such public drain or sewer, either during or after its construction, unless he has obtained a written permit from the mayor and aldermen, and has paid such sum as they may assess upon him or his land. All permits to enter such drain or sewer shall be counter-signed by the city clerk and recorded by him before the same are issued.

Private drains may enter into public sewers, on permit of mayor and aldermen.

SECT. 20. The city council may, at its option, without notice, and under such regulations or orders as it may have established or passed, or may hereafter establish or pass, construct sidewalks or footways, laid with brick, flat stones, concrete, or other materials, with suitable curbs, on any street or portion thereof, and direct not exceeding one-half the cost thereof, to be assessed on adjacent lots, and for that purpose may direct the curb to be set at any time previous to the construction of the walk, and cause the cost of the curb and the cost of the paving of the walk to be assessed separately, as each is or may be done; *provided*, that no owner or proprietor shall be assessed for more than two hundred feet in length of sidewalk or footway on any one street in front of any unimproved lots or parcels of land. The expense of said walks complete, or of said curbs or of said paving, shall be estimated and assessed within one year by the mayor and aldermen of said city, on the several lots chargeable therewith, and by them certified to the city treasurer, in the manner and with all rights to the parties interested, as provided in this act in relation to assessments for streets and drains or sewers, and all the further proceedings in relation to the assessment for sidewalks and the collection thereof shall be the same as herein provided in relation to assessments for laying out streets.

Council may construct sidewalks with curbs etc.

—expense of, how estimated and assessed.

SECT. 21. If any assessments for streets, sidewalks or sewers are not paid, and said city does not proceed to collect said assessments by a sale of the lots or parcels of land upon which said assessments are made, or does not collect or is in any manner delayed or defeated in collecting such assessments by a sale of the real estate so assessed, then the said city, in the name of the inhabitants of said city, or in the name of such city, may sue for and maintain an action against

If assessments are not paid or enforced by sale of lots, city may maintain an action against party assessed.

CHAP. 325

May recover
with interest.

Proviso.

Assessments may
be corrected.

Mayor and alder-
men authorized
to issue summons,
and compel
attendance of
witnesses, in
hearings on
municipal
matters.

Penalty for
failing to comply
with summons.

Municipal court,
established.

Court of record,
with seal.

Duties of judge.

Judge shall not
act as counsel.

Recorder to be
appointed by the
court.

the party so assessed, for the amount of said assessment as for money paid, laid out and expended, in any court competent to try the same, and in such suit may recover the amount of such assessment with twelve per cent interest on the same from the date of said assessment, and costs; *provided, however*, that if any lot, when sold in the manner before provided, shall not sell for enough to pay the amount of said assessment with interest and cost, the owner thereof shall be under no personal liability for the same. Any assessment shall at any time be corrected on due notice, and certified anew by the mayor and aldermen aforesaid, and no assessment shall be void by reason of error in the name of the owner or occupant of the lot assessed, *provided*, the lot assessed is so described that the same may be distinctly known.

SECT. 22. The mayor and aldermen shall have power to send for persons and papers, and compel the attendance of witnesses at any meeting of said board of mayor and aldermen at which a hearing is had in any matter of inquiry regarding alleged dereliction of duty of any city officer or any person in the employ of said city, or in any hearing on any municipal matter. The mayor shall have power to issue summons to such witnesses as he shall require in such hearings. Any person failing to comply with the summons of the mayor, shall be punished by fine not less than five dollars nor more than fifty dollars, or by imprisonment not more than thirty days.

SECT. 23. A municipal court is hereby established in said city of Calais, which shall be denominated the Calais municipal court, shall be a court of record, with a seal, and shall consist of one judge who shall reside in said Calais. He shall cause to be entered on the docket of said court all civil and criminal actions, with full minutes of the proceedings in and disposition of the same, which docket shall be at all times open to inspection, and he shall perform all other duties required of similar tribunals in this state; and copies of the records of said court, duly certified by said judge, shall be legal evidence in all courts. He shall not act as attorney or counsel in any action, matter or thing within the jurisdiction of said court.

SECT. 24. The judge shall appoint a recorder of said court, who shall reside in said Calais, and hold his office for

four years. He shall be sworn by said judge, and keep the records of said court when requested so to do by said judge. In case of absence from the court room or sickness of the judge, or when the office of judge shall be vacant, the recorder shall have and exercise all the powers of said judge, and perform all the duties required of said judge by this act, and the signature of the recorder, as such, shall be sufficient evidence of his right to act instead of the judge. In the absence of both judge and recorder, any justice of the peace of the city of Calais may preside for the purpose of entering and continuing actions and filing papers in said court, and may adjourn the same from day to day, or till the next regular term.

Duties and powers.

SECT. 25. Said court shall have exclusive original jurisdiction of all civil actions in which the debt or damages demanded do not exceed twenty dollars, and both parties, or one of the parties and a person summoned in good faith and on probable grounds as trustee, reside in said city of Calais; and shall have exclusive original jurisdiction of all offenses committed against the ordinances and by-laws of said city, and all such criminal offenses and misdemeanors committed therein as are cognizable by trial justices; *provided*, that warrants may be issued upon complaints for offenses committed in said city of Calais, by any trial justice in said county, but all such warrants shall be made returnable before said court, and no trial justice shall take cognizance of any crime or offense committed in said city, or any civil action of which said court has exclusive jurisdiction. Said court shall have original jurisdiction concurrent with trial justices, of all such matters and things, civil and criminal, within the county of Washington, as are by law within the jurisdiction of trial justices in said county.

Exclusive jurisdiction.

Proviso.

Concurrent jurisdiction.

SECT. 26. Said court shall have original jurisdiction, concurrent with the supreme judicial court, of all civil actions in which the debt or damages demanded, exclusive of costs, do not exceed one hundred dollars, in which either party, or a person summoned in good faith and on probable grounds as trustee, resides in the county of Washington, or having his residence beyond the limits of this state, is served with process within said county. And said court shall have original jurisdiction, concurrent with the supreme judicial court in said county, of all larcenies described in sections one, six,

Concurrent jurisdiction with the S. J. court.

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seven, eight and nine of chapter one hundred and twenty of the revised statutes, when the value of the property is not alleged to exceed thirty dollars; of all the cases of cheating by false pretences, described in section one of chapter one hundred and twenty-six of the revised statutes, when the value of the property or other thing alleged to have been fraudulently obtained or sold does not exceed thirty dollars; of the assaults and batteries described in section twenty-eight of chapter one hundred and eighteen of the revised statutes, and of the offense described in section six of chapter one hundred and twenty-four of the revised statutes, and may punish for either of said offenses by fine not exceeding fifty dollars, and by imprisonment not exceeding three months; and of all other crimes, offenses and misdemeanors committed in said county which are by law punishable by fine not exceeding fifty dollars, and by imprisonment not exceeding three months; *provided*, that said court shall not try civil actions in which the title to real estate, according to the pleadings filed in the case by either party, is in question, except as provided in chapter ninety-four, sections six and seven, of the revised statutes.

Proviso.

Terms.

SECT. 27. A term of said court shall be held on the third Tuesday of each month, beginning at ten o'clock in the forenoon, at such place in the city of Calais as said city shall provide, for the transaction of civil business, and all civil processes shall be made returnable accordingly; *provided*, however, that said court shall be held on every Tuesday at the usual hour, for the entry and trial of actions of forcible entry and detainer, and such actions shall be returnable accordingly, and be heard and determined and judgment entered on the return day of the writ, unless continued for good cause. Said court may adjourn from time to time, but shall be considered as in constant session for the trial of criminal offenses.

Adjournment.

Writs and
processes, form
and service.

SECT. 28. Writs and processes issued by said court shall be in the usual forms, signed by the judge or recorder, and under the seal of said court. They shall be served as like precepts are required to be served when issued by trial justices, except original writs in civil actions, which shall be served not less than seven nor more than sixty days before the sitting of the court at which the same are made return-

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able. All the provisions of the statutes of the state relative to the attachment of real and personal property and the levy of executions, shall be applicable to actions in this court and executions on judgments rendered therein; *provided*, that property may be attached equal in value to *ad damnum*, and in addition thereto sufficient to satisfy the costs of suit, and the writ may be framed accordingly.

Statutes relative to attachments, and levy of executions, applicable to this court.

SECT. 29. All civil actions in said court shall be entered the first day of the term and not afterwards, except by special permission, and they shall be in order for trial at the next term after the entry if not otherwise disposed of. The pleadings shall be the same as in the supreme judicial court, and all the provision of law relative to practice and proceedings in the supreme judicial court, in civil actions, are hereby made applicable and extended to this court, except so far as they are modified by the provisions of this act.

Entry and trial of civil actions.

Pleadings, practice and proceedings, in S. J. court, applicable to this court.

SECT. 30. If any defendant, his agent or attorney, in any action in said court in which the debt or damages claimed in the writ exceeds twenty dollars, shall, on or before the first day of the second term, file in said court an affidavit, that he has a good defense to said action, and intends in good faith to make such defense, and claims a jury trial, and shall deposit with the judge of said court one dollar and fifty cents for copies and entry in the supreme judicial court, to be taxed in his costs if he prevails, the said action shall be removed into and entered at the next term of the supreme judicial court for said county, and the judge of said municipal court shall forthwith cause certified copies of the writ, return of the officer and all other papers in the case to be filed in the clerk's office of the said supreme court.

Actions may be removed to S. J. court.

SECT. 31. Actions pending in this court may be referred in the same manner as in the supreme judicial court, and on report of the referees to said municipal court, judgment may be rendered in the same manner and with like effect as in the supreme judicial court.

Actions may be referred in same manner as in S. J. court.

SECT. 32. Any party may appeal from any judgment or sentence of said municipal court to the supreme judicial court, in the same manner as from a judgment or sentence of a trial justice.

Appeals may be taken to S. J. court.

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Exceptions may be alleged and cases heard and determined at law term.

SECT. 33. Exceptions may be alleged and cases certified on agreed statements of facts, or upon evidence reported by the judge in all civil actions, as in the supreme judicial court, and the same shall be entered, heard and determined at the next law term held in the eastern district, or by agreement of parties may be certified at and to the chief justice of the supreme judicial court, and when so certified, to be argued in writing on both sides within thirty days; and the supreme judicial court, sitting as a court of law, shall have the same jurisdiction of all questions of law arising on said exceptions, statements and reports, as if they had originated in the supreme judicial court for the county of Washington; and all the provisions of law and rules of the supreme judicial court relative to the transfer of actions and other matters from the supreme judicial court for said county, shall apply to the transfer of actions from said municipal court to said law court. Decisions of the law court on all cases from said municipal court, shall be certified to the judge of said municipal court, with the same effect as in cases originating in the supreme judicial court in said county.

Decisions of law court to be certified to this court.

Costs and fees to parties and attorneys.

SECT. 34. The costs and fees allowed to parties and attorneys in civil actions before said court, in which the debt or damages recovered do not exceed twenty dollars, shall be the same as are allowed in actions before trial justices, except that the plaintiff, if he prevails, shall be allowed one dollar for his writ; and the defendant, if he prevails, one dollar for his pleadings. But in all actions in which the amount recovered exceeds twenty dollars, the costs and fees of parties and attorneys shall be the same as in the supreme judicial court, except that the defendant, if he prevails, shall be allowed two dollars for his pleadings.

Fees of Judge.

SECT. 35. The fees of the judge, which he may demand and receive for his services, shall be the same as are allowed by law to trial justices and clerks of the supreme judicial court for similar services, except that he shall receive for every blank writ signed by him, four cents; for the entry of each civil action, fifty cents; for every warrant issued by him, one dollar; and for the trial of an issue in civil or criminal cases, one dollar, and two dollars for each day actually employed after the first. All fines and penalties awarded and received by said judge or said recorder, shall be accounted

Fines and penalties, how disposed of.

for and paid over as if the same had been awarded and received by a trial justice, and for neglect to do so they shall be subject to like penalties with trial justices. CHAP. 325

SECT. 36. The city marshal of Calais, or one of his deputies, shall be in attendance on said court when requested so to be by the judge or recorder, for the purpose of preserving order, and he shall execute all legal orders and processes to him directed by said court. City marshal or deputy to, attend the court when requested.

SECT. 37. The city of Calais shall provide suitable rooms for said court, and furnish the same in an appropriate manner. City to provide court rooms.

SECT. 38. Any trial justice in the county of Washington may take cognizance of any action, matter or thing within his jurisdiction, wherein the judge or recorder of said court is a party or interested. When judge or recorder is party interested, trial justice may take cognizance of any actions.

SECT. 39. This act shall have no effect upon any action, suit, matter or thing now pending in or returnable to said municipal court, except that writs and other processes in civil actions, issued before and returnable at a term of said court after this act goes into effect, shall be returned and entered at the next term thereof after the return day named in them, and the judge and recorder of said court shall have full power and authority to issue and renew executions and other processes, and to carry into effect the judgments and decrees heretofore rendered by said court, and to certify and authenticate the records thereof as effectually as if this act had not been passed. Act not to affect pending actions.

SECT. 40. All acts and parts of acts inconsistent with this act are hereby repealed. *Provided, however,* the repeal of the said acts shall not affect any act done, or any act accruing or accrued or established, or any suit or proceeding had or commenced in any civil or criminal case before the time when such repeal shall take effect, and that no offense committed, and no penalty or forfeiture incurred under the acts hereby repealed, and before the time when such repeal shall take effect, shall be affected by the repeal. *And provided, also,* that all persons who, at the time the said repeal shall take effect, shall hold any office under the said acts or ordinances of the city shall continue to hold the same according to the tenure thereof, or until others are elected and qualified in their stead. *And provided, also,* that all the ordinances, rules and regulations of the city of Calais, which shall be in Inconsistent acts repealed.
Proviso.

Proviso.

CHAP. 326 force at the time when the said repeal shall take effect, shall continue in force until the same are repealed. No act which has been heretofore repealed shall be revived by the repeal of the above acts.

Approved March 7, 1883.

Chapter 326.

An Act to legalize the proceedings by which Stacyville plantation was organized.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of Stacy-
ville plantation,
made legal.

The proceedings by which Stacyville plantation, in Penobscot county, was organized in July, eighteen hundred and sixty, are hereby confirmed, and the organization of said plantation is hereby declared legal and valid.

Approved March 7, 1883.

Chapter 327.

An Act to change the name of Maurice Wren.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Name changed.

That the name of the following person be and is hereby changed as follows, viz: Maurice Wren be changed to the name of Maurice R. Fogg.

Approved March 7, 1883.

Chapter 328.**CHAP. 328**

An Act in amendment of the Act authorizing the erection of a dam across Sheepscot river.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. In lieu of the piers and flood-gates as authorized by the legislature, approved March five, in the year of our Lord one thousand eight hundred and sixty-eight, there may be constructed and erected, suitable piers of sufficient height and of such form and dimensions as shall be necessary to shut out the flow of water from below the dam ; there shall be at least eighty feet of flood-gates between the piers, constructed of wood, and to work easy to admit the flood tide ; which shall be open to said flood tides from the fifteenth day of March to the fifteenth day of December of each year, and there shall not be more than a depth of five inches of timber under said gates at the highest point of the ledge under each gate ; there shall be a passage-way of at least twenty-three feet at and below low-water mark and thirty-three feet at and between high-water mark and low-water mark, and no obstruction shall be placed in said passage-way, which shall be above the highest point of the ledge as it now is in said passage-way, but said passage-way may be closed to navigation by gates or other ways from the fifteenth day of December to the fifteenth day of March during each year. Authority is hereby granted to extend into tide waters of said river any wharves or piers at or near said dam which shall not obstruct the navigation of said river.

Ch. 615, private laws 1868, amended.

Erection of piers, height and dimensions.

Width of flood-gates.

Authority granted to extend wharves and piers.

SECT. 2. All acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

Inconsistent acts repealed.

SECT. 3. This act shall take effect when approved by the governor, and at the expiration of twenty years from the passage of this act may be altered or amended, if in the opinion of the legislature, the public interest shall require it.

May be amended in twenty years.

Approved March 7, 1883.

Chapter 329.

An Act to incorporate the Samoset Island Association of Boothbay.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Charles H. Fisher, Gilman A. Lowe, James P. Cash and John H. Blair of Boothbay ; Henry Ingalls, Charles Weeks and George B. Sawyer of Wiscasset ; William Rogers and Joseph M. Hayes of Bath ; Charles E. Dole of Portland ; Ruel Smith of Bangor ; Joseph E. Moore and Samuel E. Smith of Thomaston, all in the State of Maine ; Charles M. Erskine of Philadelphia, Pennsylvania ; Frank F. Fisher of East Saginaw, Michigan, their associates and successors, are hereby constituted a body politic and corporate, by the

Corporate name.

name of the Samoset Island Association of Boothbay, with all the rights, powers and privileges, and subject to all the duties and liabilities provided in the laws of this state thereto applicable.

Powers.

SECT. 2. Said corporation is authorized to purchase, rent, or in any legal mode acquire and hold ; lease, sell and convey real and personal estate and property, in their own right and in trust, as they deem expedient, or for the purpose of said corporation ; to make all necessary by-laws, rules and regulations, for the furtherance of the purposes of this act and the government of said corporation, not inconsistent with the laws of the state.

Authorized to lease property or franchises.

May purchase cottages, etc.

SECT. 3. Said corporation is authorized to lease, at any time, any part or all of its property or franchises ; purchase, erect or lease cottages, and all other buildings that may be needed or in any way necessary for the comfort or convenience of the proprietors or their lessees ; to receive in trust any money or property for the purpose of erecting and leasing cottages and all other buildings that may be in any way necessary for the shelter, comfort or convenience of persons residing or sojourning in Maine, for health, recreation or business, on the land that may be owned or leased by said corporation, or put into its control as trustees as aforesaid, build and maintain wharves and landings, lay out, improve and ornament roads, walks and any lands of said corporation, may own and operate conveyances by land or water, to and from, and upon any lands owned or leased by said corpora-

—build and maintain wharves.

tion, lay cables under the water, from any islands owned by said corporation, to the main land, for telephone or telegraph lines, and may make and establish all rules and regulations necessary for the protection of said cables.

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Lay cables for
telephone and
telegraph lines.

SECT. 4. In order to secure a sufficient and regular supply of lobsters for domestic consumption, on any land or islands under the control of said corporation, it may increase the number of lobsters within said limits by artificial propagation, or other appropriate acts and methods, under the direction of the fishery commission, and shall not be interfered with by other parties, but be protected therein, as said fishery commission shall determine, and shall have the right, by its agents and tenants, to take and catch lobsters within three hundred yards of the low water line of the islands and lands owned or leased by said corporation, during each and every month, for domestic use.

May artificially
propagate lob-
sters, etc.

SECT. 5. The capital stock of said corporation shall be such an amount as the stockholders, by a majority vote of those present and voting, shall determine from time to time, not exceeding five hundred thousand dollars, said stock to be divided into the number of shares, and of the par value, as the directors shall determine.

Capital stock.

SECT. 6. Charles H. Fisher, George B. Sawyer and Joseph M. Hayes, named in this act, or a majority of them, may call the first meeting of said corporation for the purpose of organization, by giving written notice thereof to each of the other corporators, fifteen days, at least, before said meeting.

First meeting,
how called.

SECT. 7. This act shall take effect when approved.

Approved March 7, 1883.

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Chapter 330.

An Act to incorporate the Chalk Pond Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. J. C. Robinson, E. R. Adams and J. O. Robinson, with their associates and successors, are hereby made a corporation by the name of the Chalk Pond Company, for the purpose of digging and raising the deposit under the waters of Chalk pond, so called, in the town of Beddington, and township twenty-two, east division, in the county of Hancock, known as infusorial earth, and of manufacturing and selling any article of commerce made therefrom.

Corporate name.

Purposes.

Authorized to hold real estate.

SECT. 2. Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount twenty-five thousand dollars.

May raise and sell deposit, erect machinery and wharves.

SECT. 3. Said corporation is hereby authorized, for the purposes aforesaid, to take, hold, raise and sell the deposit of infusorial earth lying under the waters of said pond, and to erect and maintain such machinery and wharves as may be necessary therefor.

Capital stock.

SECT. 4. The capital stock and the number of shares thereof may be fixed by the directors, but not to exceed the sum of twenty-five thousand dollars, divided into shares of not less than ten dollars each.

First meeting, how called.

SECT. 5. Either person named in this act may call the first meeting by giving at least seven days' notice therefor before the meeting.

SECT. 6. This act shall take effect when approved.

Approved March 7, 1883.

Chapter 331.

An Act to confirm the organization of Connor Plantation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Organisation of Connor plantation, made valid.

SECT. 1. The organization of Connor plantation, in the county of Aroostook, is hereby confirmed and made valid, notwithstanding any defects in the proceedings had for such organization, and all its proceedings as such plantation are hereby legalized.

SECT. 2. This act shall take effect when approved.

Approved March 9, 1883.

Chapter 332.**CHAP. 332**

An Act to incorporate the Peoples' Electric Light and Power Company of Maine.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Charles A. Brown, James H. McMullan, Fred N. Dow, Francis K. Swan, John B. Coyle, Junior, Elias B. Denison, Alpheus G. Rogers, Charles D. Brown, Sidney W. Thaxter, Prentiss Loring, William L. Longley, William W. Bolster, A. M. Pulsifer, E. W. Gross, Jeremiah Dingley, Junior, George S. Woodman, Wallace H. White, J. L. H. Cobb, Charles Greenwood, H. C. Little, Frederick Robie, Stephen Hinkley, Amos Wilder, C. C. Burrill, George W. Kimball, Junior, A. F. Crockett, John S. Case, S. D. Bailey, H. E. Palmer, J. S. Wheelwright, J. H. Crosby, S. D. Thurston, A. A. Strout, Augustus Bailey, J. Maxcey, J. R. Bodwell, W. F. Richards, F. E. Heath, N. G. H. Pulsifer, William B. Hayford, F. A. Wilson, C. V. Lord, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Peoples' Electric Light and Power Company of Maine and by that name shall have and enjoy all rights, powers and privileges necessary to effect the objects of their association, and shall be entitled to all the rights and subject to all the duties and liabilities now or hereafter provided by the laws of this state as to corporations, so far as applicable, and subject to the provisions of this act.

Corporators.

Corporate name.

Powers, privileges, duties and liabilities.

SECT. 2. The capital stock of said company shall be three hundred thousand dollars, and shall be divided into shares of one hundred dollars each.

Capital stock.

SECT. 3. Said company is authorized and empowered for the purpose of carrying on the business of lighting, by electricity, cities, towns, villages, public streets, parks, buildings and places, private houses, manufactories, places and buildings, places of business, worship and amusement, cars, steamboats and vessels, within this state ; and the business of furnishing motive power, by electricity, within said places and limits ; and the business of manufacturing and providing machinery, apparatus and appurtenances for the supply of said light and said power, to acquire, hold and alienate real and personal estate to the amount of one million dollars ; to build and

Authorized to light cities, etc., by electricity.

—furnish power.

—to hold real estate.

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To build manufactory.
—to lay lines of wire, etc.

May confer power upon licensees.

Company not liable for torts of licensees.

May erect or lay wires or pipes by permission of municipal officers.

Damage to streets, how paid.

Company not permitted to obstruct any street, or impair use of drains or sewers.

Damages for land taken, how estimated and paid.

operate manufactories and works for the providing and supply of electricity ; to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity, submarine, under ground, upon, under and along and over any and all streets, ways and public places in such manner as not to endanger the appropriate public use thereof, railroads, bridges, canals and lands and buildings of any individuals, society or corporation, with all necessary posts, pipes, supports and appurtenances, and terminating at such points as may be expedient ; and to confer this power upon licensees of said company who shall be deemed agents of said company for said purposes, but said company shall not be liable for the torts or negligence of such licensees, nor upon contracts made by them, except as mutually agreed by said company and its licensees.

SECT. 4. For the erecting said wires above ground, and for the laying the same, or pipes therefor submarine or under ground, and for taking up, replacing and repairing the same, said company or its licensees in any city or town shall first obtain the consent of the municipal officers thereof, and perform said acts as directed by them ; and said company or its licensees in any city or town shall repay to any city or town any sum of money which such city or town may have been compelled to pay on any judgment for any damage occasioned by the aforesaid doings of said company or its licensees through defect or want of repair in the streets thereof.

SECT. 5. Said company or its licensees in any city or town shall, at their own expense, without unnecessary delay, remove any obstructions in any street, made for erecting or laying the lines for such purposes, and cause earth or pavements disturbed to be properly replaced. They shall not be allowed to obstruct or impair the use of any public or private drain, pipe or sewer, but may cross, or, when necessary, change the direction of any private pipe, drain or sewer in such manner as not to obstruct or impair the use thereof, being responsible to the owner or other person for any injury occasioned thereby, in an action on the case.

SECT. 6. Damages for any land taken for the purposes of erecting or laying said lines, if the parties cannot agree, shall be estimated, secured and paid as in the case of lands taken for railroads.

SECT. 7. The first meeting of said company may be called by any three of the corporators giving seven days' written notice, by mail, to their associates, stating the time and place thereof, seven days before the time of said meeting.

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First meeting,
how called.

Approved March 9, 1883.

Chapter 333.

An Act to amend the charter of the city of Hallowell.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The charter of the city of Hallowell is hereby amended by striking out the thirteenth section thereof, and substituting therefor the following :

Charter of city
of Hallowell,
amended.

'SECT. 13. The said judge shall appoint, in writing, a recorder, who shall be a justice of the peace for the county of Kennebec, duly qualified, who shall be sworn by said judge, who shall keep the records of said court when requested so to do by the judge, and in case of absence from the court room or sickness of the judge, or when the office of judge shall be vacant, the recorder shall have and exercise all the powers of the judge, and perform all the duties required of said judge by said charter, and shall be empowered to sign and issue all processes and papers, and to do all acts as fully and with the same effect as the judge could do were he acting in the premises, and the signature of the recorder, as such, shall be sufficient evidence of his right to act instead of the judge. When the office of judge is vacant, the recorder shall be entitled to the fees, in all other cases he shall be paid by the judge.'

Judge shall
appoint recorder

Powers and
duties.

Approved March 9, 1883.

CHAP. 334

Chapter 334.

An Act to incorporate the Bethel and Umbagog Telegraph and Telephone Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. W. F. Lovejoy, Enoch Foster and F. H. Lovejoy, their associates, successors and assigns, are hereby created a body politic by the name of the Bethel and Umbagog Telegraph and Telephone Company, with all the rights and privileges and subject to all the duties provided by the general laws of this state relating to corporations, with power by that name to sue and be sued, to have and use a common seal, to establish all by-laws and regulations for the management of its affairs not repugnant to the laws of this state, and to do any and all lawful acts incident to similar corporations.

Corporate name.

Rights and privileges.

Authorized to construct lines of telegraph.

Route.

SECT. 2. Said corporation is hereby authorized to own, construct, maintain and operate a line or lines of telegraph or telephone, and to change from either to the other as said corporation may determine, from Bethel Hill, through Bethel, Newry, Grafton, Upton, to Cambridge, New Hampshire, or upon any part of said route upon and along any public highway or bridge, but in such manner as not to incommode or endanger the customary public use thereof, and said corporation may cut any trees standing within the limits of any highway, except ornamental or shade trees, when necessary for the erection, use or safety of its lines.

Capital stock.

SECT. 3. The capital stock of said company shall be of such amount, not exceeding five thousand dollars, as they may from time to time determine to be necessary for the sole purpose of owning, constructing, maintaining and operating the line or lines of telegraph or telephone hereby authorized and contemplated, and they may purchase, hold and dispose of such personal and real estate as may be necessary for these purposes.

May hold real estate.

May connect with other lines.

SECT. 4. This company shall have power, by agreement with other persons or person, or bodies corporate, to connect their lines with other lines of telegraph or telephone within and without the state.

First meeting, how called.

SECT. 5. Any two persons named in this act of incorporation may call the first meeting of the company, by giving written and seasonable notice thereof to each of their associates.

SECT. 6. This act shall take effect when approved.

Approved March 9, 1883.

Chapter 335.**CHAP. 335**

An Act to prevent the throwing of sawdust and refuse lumber into the Great Marsh river, in the town of Harrington, Washington county.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

No person shall cast or throw into the Great Marsh river, at or below the mills on said river, any slabs, bark, buttings, sawdust or stave edgings, or refuse lumber of any kind, or shall place, pile or deposit the same on the bank of said river, in such negligent manner that portions thereof may fall or be washed into said river, under a penalty of twenty dollars for the first offense, and for a second and every subsequent offense fifty dollars ; one-half of said penalty to be paid to the person prosecuting and the other half to said town.

Throwing of
refuse into Great
Marsh river,
forbidden.

Penalty for
violation.

Approved March 9, 1883.

Chapter 336.

An Act to change the name of the town of West Waterville.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The name of the town of West Waterville is hereby changed to Oakland.

Name of West
Waterville
changed to
Oakland.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 337.

An Act to authorize the trustees of the charity fund of Mount Vernon Chapter to hold real estate to the amount of twenty thousand dollars.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

The trustees of the charity fund of Mount Vernon Chapter, a corporation existing at Portland, in the county of Cumberland, by virtue of an act entitled "An Act to incorporate the Trustees of the Charity Fund of Mount Vernon Chapter,"

Mt. Vernon chap-
ter authorized to
hold real estate.

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approved January twenty-nine, in the year of our Lord one thousand eight hundred and twenty-seven, are hereby authorized to take and hold any real and personal estate to the value of twenty thousand dollars in the manner and for the purposes specified in said act.

Approved March 10, 1883.

Chapter 338.

An Act authorizing the Governor and Council to adjust certain state taxes.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Governor and
council author-
ized to adjust
taxes of Home
Ins. Co.

SECT. 1. The governor and council are hereby authorized and empowered to adjust, upon such terms as they may deem advisable for the interests of the state, all controversies and suits existing between the state of Maine and the Home Insurance Company, relating to the assessment and collection of its taxes.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 339.

An Act to incorporate the Atlantic Telegraph Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. John Quimby, A. G. Prentiss, George F. Owen, S. I. Abbott, Fred Atwood, Weston Thompson and W. S. Dennett, their associates, successors and assigns, are hereby created a body corporate, by the name of the Atlantic Telegraph Company, with all the rights and privileges, and subject to all the duties provided by the general laws of this state, relating to corporations, with power by that name to sue and be sued, to have and use a common seal, and the same to change at pleasure; to establish any and all by-laws and regulations for the management of their affairs, not repug-

Corporate name

Rights and
privileges.

nant to the laws of this state, and to do and perform any and all other legal and lawful acts incident to similar corporations; and said company shall have the right to locate and construct its lines upon and along any public highway or bridge, or along or upon the line of any railroad, but in such manner as not to incommode or endanger the customary public use thereof; and the company may cut down any trees standing within the limits of any highway, except fruit, ornamental or shade trees, when necessary for the erection, use or safety of its lines.

SECT. 2. Said corporation is hereby authorized to construct, maintain and operate lines of telegraph between the eastern and western boundaries of this state, with as many wires and branches as they may see fit, commencing and terminating at such point or points as they may select hereafter, within the limits aforesaid.

Authorized to
construct lines of
telegraph.

Limits.

SECT. 3. The capital stock of said company shall be of such an amount as they may, from time to time, determine to be necessary, for the exclusive purpose of constructing, maintaining and operating the lines of telegraph hereby authorized; and they may purchase, hold and dispose of such personal and real estate as may be necessary for that purpose.

Capital stock.

SECT. 4. This company shall have power, by agreement with other persons or bodies corporate, to connect their lines with other lines of telegraph within and without the state; but no sale or transfer of this charter shall be made to any other company without authority from the legislature of this state.

May connect with
other lines.

Sale of charter,
forbidden.

SECT. 5. Any two of the persons named in this act of incorporation may call the first meeting of the company, by giving written notice thereof to each of their associates.

First meeting,
how called.

SECT. 6. This act shall take effect when approved.

Approved March 10, 1883.

An Act reviving, with amendments, chapter one hundred and seventeen of the Private and Special Laws of eighteen hundred and sixty-nine, incorporating the Boothbay Village Corporation.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 117, private laws 1869, revived.

SECT. 1. Chapter one hundred and seventeen of the private and special laws of eighteen hundred and sixty-nine is hereby revived and re-enacted, with amendments, as follows :

Boundaries.

The territory in the town of Boothbay, comprising school district numbered one of said town, together with the inhabitants thereon, is hereby created a body politic and corporate by the name of the Boothbay Village Corporation, with all the rights and privileges provided by the laws of the state relating to corporations.

Corporate name.

Corporation authorized to raise money for certain purposes.

SECT. 2. Said corporation is hereby authorized and vested with power, at any legal meeting called for the purpose, to raise money to defray the expenses of a police, harbor master, and all other necessary regulations for the better security of property and the promotion of good order and quiet within its limits ; for the purchase and repair of engines and all other apparatus for the extinguishment of fires ; for the construction of reservoirs and aqueducts to supply water ; for the erection and repair of suitable engine houses ; for organizing and maintaining an efficient fire department ; for the improvement of streets, sidewalks and public grounds, and for the support of schools.

Rights and powers of school district No. 1, vested in corporation.

SECT. 3. The organization, rights, powers and duties now held and exercised by said school district numbered one, under the laws of this state, are hereby merged and vested in, and shall be held and exercised by the corporation hereby established ; and there shall be no other or separate organization thereof as a school district. Said corporation shall have all the rights and powers, and be subject to all the liabilities of other school districts ; and in addition thereto may establish and maintain a system of graded free schools, subject to the provisions of law applicable to the same.

Graded schools.

Assessments, how made.

SECT. 4. Any money raised by said corporation for the purposes aforesaid, shall be assessed upon the property and polls within the territory aforesaid, by the assessors of said corporation, or in the same manner as is by law provided for

the assessment of town taxes. And said assessors may copy the last valuations of said property by the assessors of the town of Boothbay, and assess the tax thereon; or if the corporation shall so direct, may correct said valuation, or make a new valuation thereof, according to the principles established by the last state tax, and assess the tax on that valuation.

Valuations, how made.

SECT. 5. Upon a certificate being filed with the assessors of said corporation, by the clerk thereof, of the amount of money raised at any meeting for the purposes aforesaid, it shall be the duty of said assessors, as soon as may be, to assess said amount according to law upon the polls and estates of the persons residing on the territory aforesaid, and upon the estates of non-resident proprietors thereof, and lists of the assessments so made to certify and deliver to the collector, whose duty it shall be to collect the same in like manner as county and town taxes are by law collected by towns, and to pay over the same to the treasurer of said corporation, who shall receive the same and pay it out to order or direction of the corporation, and keep a regular account of all moneys received and paid out, and exhibit the same to the assessors whenever requested; and said corporation shall have the same power to direct the mode of collecting said taxes as towns have in the collection of town taxes.

Duty of assessors.

Power of corporation to collect taxes.

SECT. 6. The officers of said corporation shall consist of a clerk, treasurer, collector, assessors, fire wardens, three school directors, and such other officers as may be provided for in the by-laws of said corporation; and said officers shall severally have exclusively all the power and authority within the limits of said corporation, that similar officers now have, or may have, chosen by towns.

Officers, powers and authority.

SECT. 7. The school directors shall, at their first meeting, designate by lot one of their number to hold office three years, and another two years. The third member shall hold office one year, and each member elected to fill the place of one whose term expires, shall hold office three years. They shall fill all vacancies in their number until the next annual meeting. Two members shall constitute a quorum, but if there is but one in office, he may fill vacancies.

School directors, and tenure of office.

Vacancies, how filled.
Quorum.

SECT. 8. Said corporation, at any legal meeting thereof, may adopt a code of by-laws, not repugnant to the laws of

Corporation may adopt by-laws.

CHAP. 340 this state, for the efficient management of the municipal affairs of said corporation.

Officers, how elected. **SECT. 9.** All the officers of said corporation shall be chosen by ballot, and sworn to the faithful performance of their duties; the first election to be at the meeting of the legal voters of the corporation called to accept this charter, and the annual election of officers shall be in the month of January.

First election.

Duty of clerk. **SECT. 10.** The clerk shall keep a record of all the doings and proceedings at the meetings of said corporation.

Annual election.

Collector and treasurer to give bonds. **SECT. 11.** The collector and treasurer shall each give bonds in such sum as the corporation or the assessors may order, and not less than double the amount of the taxes raised as aforesaid, to the inhabitants of said corporation, for the faithful performance of their duties; and said bonds shall be approved by the assessors and clerk, and kept by the clerk.

Acceptance of charter. **SECT. 12.** This charter may be accepted at any time within five years from its approval by the governor, and Silas Smith, Daniel W. Sawyer, Luther Maddocks and Alonzo R. Nickerson, or either of them, are authorized to call all meetings of said corporation previous to the acceptance of this charter and the election of officers, by publishing the time, place and objects of said meeting, in a newspaper printed in Boothbay, if any, or by posting like notices in two public places within the limits of said corporation; the publication or posting of said notices to be seven days at least before the time of holding said meeting, and all subsequent meetings shall be called and notified in like manner by the assessors.

First meeting, how called.

Qualifications of voters. **SECT. 13.** All persons liable to be taxed for polls, residing in the limits of said corporation, shall be legal voters at any meeting of said corporation.

Charter binding, when accepted by qualified electors. **SECT. 14.** At any meeting prescribed in section twelve of this act, the legal voters shall vote by ballot on the question of accepting this charter, and if two-thirds of all the persons present and voting at said meeting shall vote in favor of its acceptance, then it shall take effect, and the corporation shall proceed to organize and choose its officers.

SECT. 15. This act shall take effect when approved by the governor, but shall not be binding on said corporation unless accepted by them as hereinbefore provided.

Chapter 341.**CHAP. 341**

An Act to make valid the doings of J. L. Orcutt, trial justice.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. All the acts of J. L. Orcutt, done, as trial justice, between the third day of February, eighteen hundred and seventy-nine, and the eleventh day of February, eighteen hundred and eighty, are hereby made legal and valid.

Doings of J. L. Orcutt, legalised.

SECT. 2. This act shall take effect when approved.

Approved March 10, 1883.

Chapter 342.

An Act to incorporate the Aroostook Improvement Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Thomas N. Egery, Daniel Hinckley, Frank Hinckley, Charles A. Gibson, Charles C. Prescott and Eugene M. Hersey, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Aroostook Improvement Company, with all the powers and privileges, and subject to all the duties and liabilities provided by the laws of this state concerning manufacturing companies.

Corporators.

Corporate name.

SECT. 2. Said corporation is authorized to manufacture lumber, starch, and grind grain in the town of Frenchville, in Aroostook county, in this state, in the vicinity of Long lake, so called ; to purchase and hold real estate and personal estate not to exceed the value of one hundred thousand dollars ; to build and erect such buildings and machinery as may be necessary and convenient for the above purposes, and to carry on the same by steam or water power and make all necessary rules and regulations for the prosecution of the same, consistent with the laws of the state.

Authorized to manufacture lumber, etc.

SECT. 3. The capital stock of said corporation shall not exceed one hundred thousand dollars, the issue of which, and the value of the shares shall be determined from time to

Capital stock.

CHAP. 343 time by the directors of said corporation, or otherwise, as the stockholders may determine.

First meeting,
how called.

SECT. 4. Either one of the corporators herein named is authorized to call the first meeting of said corporators and said corporation, by giving notice of same to other corporators, or by publishing notice thereof in some newspaper published in said Aroostook county, seven days at least before the meeting.

SECT. 5. This act shall take effect when approved.

Approved March 12, 1883.

Chapter 343.

An Act to incorporate the Saint Joseph's Hospital and Orphan Asylum at Lewiston.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. James A. Healy, Thomas H. Wallace, Edward McSweeney, John W. Murphy, James Dempsey, George Ellard and John A. Donovan, their associates, successors and assigns are hereby created a body politic and corporate

Corporate name.

Purposes.

by the name of the Saint Joseph's Hospital, Orphan Asylum and School, for charitable, benevolent and educational purposes, in the city of Lewiston, with all the rights and privileges, and subject to all the duties, liabilities and requirements of similar corporations by the laws of this state.

May hold real
estate.

SECT. 2. Said corporation may purchase and hold real and personal property to an amount not exceeding at any one time one hundred and fifty thousand dollars, with full power to manage and dispose of the same.

SECT. 3. This act shall take effect when approved.

Approved March 12, 1883.

Chapter 344.**CHAP. 344**

An Act to confer and limit powers of the town of Brunswick.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The powers conferred upon the town of Brunswick by chapter four hundred and eighty-eight of the public laws of eighteen hundred and seventy, and by chapter one hundred and sixteen of the public laws of eighteen hundred and seventy-five, may be exercised by said town at any time within twelve years next after the date of approval of this act, and not afterwards.

Powers conferred by ch. 488, public [private] laws 1870, and ch. 116, public [private] laws 1875, extended.

SECT. 2. The town of Brunswick, within the time aforesaid, may accept from the government of the United States, or from any person or corporation, money to be used for the erection of a post office building; and when such money shall be sufficient in amount for the purpose aforesaid, the town may erect the post office building and the building mentioned in the aforesaid acts in one.

Town may accept money for erection of public buildings.

SECT. 3. Nothing in this act, excepting the first section, shall abridge or take away any rights of the town under the acts referred to in section one, or under either of them.

Rights of town not to be abridged.

SECT. 4. Said town may co-operate with the United States government in the erection of a post office, or post office and town building combined, pursuant to any act of congress.

May co-operate with United States in erection of post office building.

SECT. 5. If the municipal officers of said town and any committee chosen by said town for the erection of any building or monument, under this act or the former ones herein referred to, constituting a joint board for the purpose of voting upon the question, shall adjudge, by major vote, that the interests of the town would be promoted by so issuing the bonds that one shall fall due each year, so as to relieve the town and its officers of the management and care of a sinking fund; or by making the same bonds, or any of them, subject to call and payment, so as to stop the interest thereon, on or after any specified date, the bonds may be issued accordingly.

May issue bonds.

—payment of.

SECT. 6. The discretion conferred on town officers and agents by the last preceding section shall be controlled by

Issue of bonds to be controlled by vote of town.

CHAP. 345 any vote of the town at a lawful meeting; but in default of such vote, said officers may use their own discretion.

Approved March 13, 1883.

Chapter 345.

An Act to incorporate the Drummond Pond Ice Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

Corporators.	SECT. 1. That James Andrews, Charles L. Marston, M. G. Palmer, John E. Palmer and Zopher Folsom, their associates and assigns, be and hereby are incorporated a body
Corporate name.	corporate by the name of Drummond Pond Ice Company,
Authority.	with authority to build and maintain a dam to exclude entirely the tide water from said pond in Phipsburg, near the old dam, used formerly to retain the tide water, used for running saw
Purposes.	mill and grist mill, for the purpose of creating an ice pond, with the authority to build suitable wharves, piers and other erections that may facilitate the getting and shipping of ice; and that said dam may be of such height as to flow the fresh water four feet above the original flow of tides on the marshes adjoining the said Drummond Mill creek, so called; and said company may hold real and personal estate to the value of fifty thousand dollars, for the prosecuting of its business.

SECT. 2. This act shall take effect when approved.

Approved March 13, 1883.

Chapter 346.

CHAP. 346

An act for the assessment of a State Tax for the year one thousand eight hundred and eighty-three, amounting to the sum of nine hundred forty-five thousand four hundred thirty dollars and ninety-two cents.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. That each city, town, plantation, or any other place hereinafter named within this State, shall be assessed and pay the several sums with which they respectively stand charged in the following lists; the same being in addition to the poll tax of one cent on each poll, a tax of four mills on the dollar of the present valuation, for the current disbursements of the treasury, for the year eighteen hundred and eighty-three, and for the school mill fund established by an act approved February twenty-seven, eighteen hundred and seventy-two, and for the sinking fund established by an act approved March seven, eighteen hundred and sixty-eight.

State tax, 1883.

COUNTY OF ANDROSCOGGIN.

Auburn	Twenty thousand four hundred twenty dollars and ninety eight cents	\$20,420 98
Durham	One thousand six hundred ninety four dollars and twenty five cents	1,694 25
East Livermore ..	One thousand three hundred seventy nine dollars and five cents	1,379 05
Greene	One thousand five hundred seventy nine dollars and eighty three cents	1,579 83
Leeds	One thousand six hundred sixty five dollars and thirty four cents	1,665 34
Lewiston	Thirty eight thousand one hundred eighteen dollars and ninety four cents	38,118 94
Lisbon	Four thousand four hundred sixty nine dollars and eighty one cents	4,469 81
Livermore	One thousand seven hundred twenty six dollars and eighty two cents	1,726 82
Minot	Two thousand eight hundred eighty six dollars and ninety two cents	2,886 92
Poland	Three thousand six hundred eighty seven dollars and thirty six cents	3,687 36
Turner	Three thousand two dollars and two cents	3,002 02
Wales	Seven hundred ninety five dollars and sixty six cents	795 66
Webster	One thousand seven hundred eighty four dollars and three cents	1,784 03
	Eighty three thousand two hundred eleven dollars and one cent	83,211 01

COUNTY OF AROOSTOOK.

Amity	One hundred seventy nine dollars	179 00
Ashland	Three hundred sixty three dollars and ninety nine cents	363 99
Blaine	Two hundred dollars and sixty five cents	200 65
Bridgewater	Four hundred fifteen dollars and seventeen cents	415 17
Benedicts	One hundred seventy one dollars and ninety three cents	171 93
Caribou	One thousand three hundred fifty four dollars and eighty three cents	1,354 83
Easton	Three hundred fifty five dollars and seventy six cents	355 76
Fort Fairfield	One thousand eight hundred seventy nine dollars and twenty one cents	1,879 21

Fort Kent	Two hundred ninety three dollars and nine cents	293 09
Frenchville	Four hundred thirty four dollars and seventy six cents	434 76
Grand Isle	Three hundred twenty one dollars and fifty six cents	321 56
Haynesville	One hundred seventy dollars and forty three cents	170 43
Hersey	One hundred six dollars and twenty three cents	106 23
Hodgdon	Six hundred ninety six dollars and ninety six cents	696 96
Houlton	Two thousand nine hundred seven dollars and twenty three cents	2,907 23
Island Falls	One hundred eighty nine dollars and forty four cents	189 44
Limestone	Three hundred seven dollars and fifty one cents	307 51
Linneus	Six hundred seven dollars and thirty three cents	607 33
Littleton	Five hundred six dollars and ninety three cents	506 93
Ludlow	Four hundred thirty nine dollars and seventy cents	439 70
Madawaska	Three hundred sixty three dollars and ten cents	363 10
Mapleton	Two hundred eight dollars and ninety six cts	208 96
Mars Hill	Two hundred eighty seven dollars and seventy four cents	287 74
Masardis	One hundred sixty nine dollars and seventy four cents	169 74
Monticello	Five hundred ninety eight dollars and ninety seven cents	598 97
New Limerick	Four hundred four dollars and fourteen cts.	404 14
Orient	One hundred seventy dollars and seventy three cents	170 73
Presque Isle	Two thousand two hundred fifty nine dollars and thirty cents	2,259 30
Sherman	Three hundred ninety three dollars and fifteen cents	393 15
Smyrna	Two hundred forty three dollars and ninety seven cents	243 97
Washburn	Four hundred two dollars and fifty four cts.	402 54
Weston	Two hundred nine dollars and seventy cents.	209 70
Woodland	Three hundred eleven dollars and fifty three cents	311 53
Bancroft plantation	One hundred ninety six dollars and forty two cents	196 42
Cary do	Eighty one dollars and sixty six cents	81 66
Caswell do	Seventy dollars and sixteen cents	70 16
Chapman do	Forty seven dollars and sixty eight cents.	47 68
Crystal do	Two hundred ten dollars and seventy five cts	210 75
Castle Hill do	One hundred eleven dollars and thirty four cents	111 34
Cyr do	One hundred thirteen dollars and eight cents	113 08
Glenwood do	One hundred fifteen dollars and ninety one cents	115 91
Hamlin do	One hundred fifty five dollars and thirty nine cents	155 39
Macwahoc do	One hundred four dollars and seven cents.	104 07
Merrill do	Sixty two dollars and seventy nine cents.	62 79
Moro do	One hundred eighty seven dollars and sixteen cents	187 16
New Sweden do	Eighty nine dollars and thirty six cents.	89 36
Oakfield do	One hundred sixty five dollars and eighty cents	165 80
Oxbow do	Seventy five dollars and ninety one cents	75 91
Perham do	One hundred twenty five dollars and twenty eight cents.	125 28
Portage Lake do	Ninety two dollars and thirty six cents	92 36
Reed do	One hundred eighty one dollars and six cents	181 06
Silver Ridge do	Sixty seven dollars and twenty eight cents.	67 28
St. Francis do	Eighty three dollars and ninety eight cents	83 98

COUNTY OF AROOSTOOK—(CONTINUED.)

CHAP. 346

Van Buren plantation	Four hundred forty eight dollars and fifty four cents	448 54
Wade do	Forty dollars and ninety cents	40 90
Wallagrass do	Eighty nine dollars and one cent	89 01
Westfield do	One hundred thirty seven dollars and ninety nine cents	137 99
A, R. 5, N. half	Sixty six dollars	66 00
A, R. 5, S. half	Thirty dollars and seventy two cents	30 72
No. 1, R. 4, No Yarmouth Acad. Gt. W. E. L. S.	Eighty eight dollars and sixteen cents	88 16
No. 1, R. 5, W. E. L. S.	Eighty eight dollars and sixteen cents	88 16
No. 2, R. 4, do	Eighty eight dollars and sixteen cents	88 16
No. 3, R. 2, Forktown, W. E. L. S.	Eighty four dollars	84 00
No. 3, R. 3, W. E. L. S.	One hundred thirty two dollars	132 00
No. 3, R. 4, do	One hundred dollars	100 00
No. 4, R. 3, do	One hundred forty dollars	140 00
Cox Patent	Four dollars	4 00
A, R. 2	Sixty dollars	60 00
B, R. 2	One hundred fourteen dollars and forty cents	114 40
C, R. 2	One hundred dollars	100 00
D, R. 2	Eighty five dollars and ninety one cents	85 91
E, R. 2	Fifty dollars and eighty nine cents	60 89
K, R. 2	Twelve dollars	12 00
No. 7, R. 3, W. E. L. S.	One hundred ten dollars and twenty cents	110 20
No. 7, R. 4	One hundred fifty four dollars and twenty eight cents	154 28
No. 7, R. 5	Eighty eight dollars and sixteen cents	88 16
No. 8, R. 3	One hundred ten dollars	110 00
No. 8, R. 4	Eighty eight dollars and sixteen cents	88 16
No. 8, R. 5	Eighty eight dollars and sixteen cents	88 16
No. 9, R. 3	Eighty eight dollars and sixteen cents	88 16
No. 5, R. 4, Dyer Brook plantation, W. E. L. S.	One hundred ten dollars and twenty cents	110 20
No. 9, R. 4	Eighty eight dollars and sixteen cents	88 16
No. 9, R. 5	Thirty five dollars and thirty three cents	35 33
No. 9, R. 7	Eighty eight dollars and thirty two cents	88 32
No. 9, R. 8	Eighty four dollars	84 00
No. 10, R. 3	Eighty eight dollars and sixteen cents	88 16
No. 10, R. 4	Sixty six dollars	66 00
No. 10, R. 6	One hundred ten dollars and twenty eight cents	110 28
No. 10, R. 7	Eighty eight dollars and sixteen cents	88 16
No. 10, R. 8, W. E. L. S.	One hundred thirty five dollars and sixty nine cents	135 69
No. 11, R. 4	Forty four dollars and eight cents	44 08
No. 11, R. 6	Sixty four dollars and eighty cents	64 80
No. 11, R. 7	Eighty eight dollars and sixteen cents	88 16
No. 11, R. 8	Ninety dollars and twenty four cents	90 24
No. 11, R. 9	Ninety two dollars	92 00
No. 11, R. 10	Sixty eight dollars	68 00
No. 11, R. 11	Eighty eight dollars and thirty six cents	88 36
No. 11, R. 12	Eighty eight dollars and eighty six cents	88 86
No. 11, R. 13	One hundred eleven dollars and nine cents	111 09
No. 11, R. 14	Eighty seven dollars and ninety six cents	87 96
No. 11, R. 15	Seventy two dollars and twenty three cents	72 23
No. 11, R. 16	Sixty two dollars	62 00
No. 11, R. 17	Eighty dollars	80 00
No. 12, R. 5, Sheridan plantation, W. E. L. S.	Forty five dollars and forty four cents	45 44
No. 12, R. 6, Nashville plantation, W. E. L. S.	Sixty dollars	60 00
No. 12, R. 7	Eighty eight dollars and sixteen cents	88 16
No. 12, R. 8	Ninety dollars and seventy two cents	90 72
No. 12, R. 9	Eighty eight dollars and forty nine cents	88 49
No. 12, R. 10	Sixty seven dollars and twenty six cents	67 26
No. 12, R. 11	Eighty nine dollars and seven cents	89 07
No. 12, R. 12	Eighty nine dollars and nineteen cents	89 19
No. 12, R. 13	Eighty eight dollars and fifty five cents	88 55
No. 12, R. 14	Sixty three dollars and ninety nine cents	63 99
No. 12, R. 15	Seventy nine dollars and fifty one cents	79 51
No. 12, R. 16	Eighty eight dollars and fifteen cents	88 15
No. 12, R. 17	Seventy three dollars and fifty cents	73 50
No. 13, R. 5	Sixty six dollars	66 00
No. 13, R. 7	Eighty eight dollars and sixteen cents	88 16

COUNTY OF AROOSTOOK—(CONCLUDED.)

No. 13, R. 8.....	W. E. L. S.	Ninety dollars and thirty three cents.....	90 33
No. 13, R. 9.....	do	Eighty eight dollars.....	88 00
No. 13, R. 10.....	do	Fifty six dollars.....	56 00
No. 13, R. 11.....	do	Ninety one dollars and two cents.....	91 02
No. 13, R. 12.....	do	Eighty four dollars and fifty five cents.....	84 55
No. 13, R. 13.....	do	Sixty six dollars and sixty seven cents.....	66 67
No. 13, R. 14.....	do	Seventy one dollars and sixty two cents.....	71 62
No. 13, R. 15.....	do	Seventy five dollars and twenty eight cents.....	75 28
No. 13, R. 16.....	do	One hundred five dollars and thirteen cents.....	105 13
No. 14, R. 5.....	do	Forty four dollars.....	44 00
No. 14, R. 6.....	do	Sixty dollars.....	60 00
No. 14, R. 7.....	do	Eighty eight dollars.....	88 00
No. 14, R. 8.....	do	Eighty eight dollars and fourteen cents.....	88 14
No. 14, R. 9.....	do	Sixty four dollars.....	64 00
No. 14, R. 10.....	do	Sixty dollars.....	60 00
No. 14, R. 11.....	do	Fifty four dollars and four cents.....	54 04
No. 14, R. 12.....	do	Ninety three dollars and fifteen cents.....	93 15
No. 14, R. 13.....	do	Seventy dollars and seventy cents.....	70 70
No. 14, R. 14.....	do	Eighty seven dollars.....	87 00
No. 14, R. 15.....	do	Eighty five dollars and twenty nine cents.....	85 29
No. 14, R. 16.....	do	Fifty eight dollars and ninety nine cents.....	58 99
No. 15, R. 4, E half, Fryeburg Academy, W. E. L. S.....		Eighty eight dollars.....	88 00
No. 15, R. 4, W. half, Fryeburg Academy.....	W. E. L. S.	Forty four dollars and eight cents.....	44 08
No. 15, R. 5.....	do	Forty four dollars.....	44 00
No. 15, R. 6.....	do	Sixty dollars.....	60 00
No. 15, R. 7.....	do	Fifty six dollars.....	56 00
No. 15, R. 8.....	do	Ninety one dollars and thirty four cents.....	91 34
No. 15, R. 9.....	do	Sixty dollars.....	60 00
No. 15, R. 10.....	do	Forty eight dollars.....	48 00
No. 15, R. 11.....	do	Fifty two dollars and fifty four cents.....	52 54
No. 15, R. 12.....	do	Sixty eight dollars and seventy two cents.....	68 72
No. 15, R. 13.....	do	Eighty eight dollars.....	88 00
No. 15, R. 14.....	do	Sixty five dollars and ninety six cents.....	65 96
No. 15, R. 15.....	do	One hundred three dollars and seventy five cents.....	103 75
No. 16, R. 3.....	do	Forty dollars and eighty cents.....	40 80
No. 16, R. 4.....	do	Seventy two dollars.....	72 00
No. 16, R. 5.....	do	Forty four dollars.....	44 00
No. 16, R. 6.....	do	Forty dollars.....	40 00
No. 16, R. 7, Eagle Lake plantation.....	W. E. L. S.	Forty four dollars and eight cents.....	44 08
No. 16, R. 8.....	do	Forty four dollars.....	44 00
No. 16, R. 9.....	do	Eighty dollars.....	80 00
No. 16, R. 10.....	do	Sixty dollars.....	60 00
No. 16, R. 11.....	do	Forty three dollars and fifty cents.....	43 50
No. 16, R. 12.....	do	Ninety six dollars and forty four cents.....	96 44
No. 16, R. 13.....	do	Sixty dollars.....	60 00
No. 16, R. 14.....	do	Seventy nine dollars and eighty six cents.....	79 86
No. 17, R. 3.....	do	Forty eight dollars.....	48 00
No. 17, R. 4.....	do	Fifty two dollars.....	52 00
No. 17, R. 5.....	do	Eighty one dollars and eleven cents.....	81 11
No. 17, R. 6, S. half.....	do	Eighteen dollars and twenty cents.....	18 20
No. 17, R. 8, St. John.....	do	One hundred five dollars and fifty three cents.....	105 53
No. 17, R. 10.....	do	Forty nine dollars and twenty eight cents.....	49 28
No. 17, R. 11.....	do	Forty three dollars and seventy five cents.....	43 75
No. 17, R. 12.....	do	Sixty six dollars and eleven cents.....	66 11
No. 17, R. 13.....	do	Sixty eight dollars and eighty eight cents.....	68 88
No. 17, R. 14.....	do	Fifty three dollars and six cents.....	53 06
No. 18, R. 10.....	do	Sixty seven dollars and two cents.....	67 02
No. 18, R. 11.....	do	Forty four dollars and twenty eight cents.....	44 28
No. 18, R. 12.....	do	Sixty seven dollars and sixty seven cents.....	67 67
No. 18, R. 13.....	do	Fifty two dollars and thirteen cents.....	52 13
No. 19, R. 11.....	do	Fifty six dollars.....	56 00
No. 19, R. 12.....	do	One hundred fifty five dollars.....	155 00
No. 20, R. 11 and 12, do		One hundred one dollars and sixty cents.....	101 60
Thirty thousand three hundred thirty seven dollars and seven cents.....			30,337 07

COUNTY OF CUMBERLAND.

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Baldwin	One thousand two hundred fifty one dollars and thirteen cents	1,251 13
Bridgton	Four thousand four hundred seventeen dollars and seventy five cents	4,417 75
Brunswick	Ten thousand seven hundred forty eight dollars and fifty eight cents	10,748 58
Cape Elizabeth...	Seven thousand four hundred eighty eight dollars and thirty four cents	7,488 34
Carco	One thousand sixty three dollars and forty one cents	1,063 41
Cumberland	Two thousand two hundred twenty nine dollars and ninety nine cents	2,229 99
Deering	Ten thousand three hundred fifty four dollars and ninety nine cents	10,354 99
Falmouth	Three thousand eighty one dollars and seventy cents	3,081 70
Freeport	Three thousand nine hundred twenty one dollars and eighty four cents	3,921 84
Gray	Two thousand two hundred ninety two dollars and sixty seven cents	2,292 67
Gorham	Five thousand six hundred one dollars and sixty six cents	5,601 06
Harpwell	Two thousand two dollars and seventy eight cents	2,002 78
Harrison	One thousand two hundred sixty six dollars and seventy three cents	1,266 73
Naples	Nine hundred seventy three dollars and twenty seven cents	973 27
New Gloucester...	Three thousand two hundred eighty two dollars and fifty seven cents	3,282 57
North Yarmouth...	One thousand four hundred ninety two dollars and fifty six cents	1,492 56
Otisfield	One thousand fifty dollars and twenty five cents	1,050 25
Pownal	One thousand two hundred sixteen dollars and forty three cents	1,216 43
Portland	One hundred twenty one thousand eight hundred thirty five dollars and forty six cents	121,835 46
Raymond	Nine hundred eleven dollars and sixty nine cents	911 69
Scarborough	Three thousand one hundred twenty seven dollars and seventy nine cents	3,127 79
Sebago	Seven hundred thirty four dollars and twenty nine cents	734 29
Standish	Two thousand four hundred eighty nine dollars and forty cents	2,489 40
Westbrook	Six thousand one hundred twenty dollars and six cents	6,120 06
Windham	Three thousand two hundred eighty six dollars and thirty eight cents	3,286 38
Yarmouth	Four thousand ninety five dollars and seventy one cents	4,095 71
	Two hundred six thousand three hundred thirty seven dollars and forty three cents	206,337 43

COUNTY OF FRANKLIN.

Avon	Five hundred eighteen dollars and eighty four cents	518 84
Carthage	Four hundred thirty two dollars and fifty eight cents	432 58
Chesterville	One thousand one hundred sixty six dollars and thirty seven cents	1,166 37
Eustis	Two hundred sixty dollars and thirty nine cents	260 39
Farmington	Six thousand four hundred thirteen dollars and eighty eight cents	6,413 88
Freeman	Five hundred sixty two dollars and thirty five cents	562 35
Industry	Five hundred ninety four dollars and eighty six cents	594 86
Jay	One thousand nine hundred thirty seven dollars and ninety cents	1,937 90
Kingfield	Four hundred seventy seven dollars and sixty cents	477 60
Madrid	Two hundred eighty dollars and ninety cents	280 90
New Sharon	One thousand eight hundred eighty seven dollars and fifty five cents	1,887 55

New Vineyard.....	Eight hundred thirteen dollars and forty seven cents	815 47
Phillips.....	One thousand seven hundred ninety five dollars and forty two cents.	1,795 42
Rangely	Four hundred fourteen dollars and twenty seven cents	414 27
Salem.....	Two hundred forty dollars and fourteen cents...	240 14
Strong.....	Eight hundred ninety five dollars and eighty three cents	895 83
Temple.....	Six hundred forty two dollars and forty eight cents	642 48
Weld	Nine hundred thirty dollars and eighty two cts.	930 82
Wilton	Two thousand five hundred fifty nine dollars and seventy three cents	2,559 73
Coplin plantation.....	One hundred twenty six dollars and forty cents .	126 40
Dallas plantation	Seventy nine dollars and fifty three cents	79 53
Greenvale plantation	Fifty five dollars and fifty cents.	55 50
Letter E do	Fifty eight dollars and twenty six cents	58 26
Perkins do	Eighty eight dollars and fifty three cents	88 53
Rangely do	Sixty five dollars and seventy six cents	65 76
No 4, Washington pl.	Twenty nine dollars and seventeen cents	29 17
No. 2, R. 1, Sandy River plantation	Thirty three dollars and sixty cents	33 60
No. 4, R. 1, B. K. P.	Sixteen dollars and eighty cents	16 80
No 4, R. 2, do	Sixty six dollars and twelve cents.	66 12
No 4, R. 3, S. half, B K P.	Twenty dollars	20 00
D, R. 1	Seventy six dollars	76 00
D Gore	One dollar and twenty eight cents.	1 28
No 3, R. 2, B. K. P.	Fifty one dollars and fifty eight cents.	51 58
No. 1, R. 3, W. B. K. P.	Thirty nine dollars and twenty cents	39 20
No 2, R 3, do	Ninety four dollars	94 00
No 3, R 3, do	Eighty dollars	80 00
No. 2, R. 4, W. B. K. P., N half	Fifty dollars and sixty nine cents .	50 69
No. 2, R. 4, W. B. K. P., S. half	Thirty nine dollars and sixty seven cents.	39 67
No. 3, R. 4, W. B. K. P.	Seventy one dollars and seven cents	71 07
No. 1, R. 5, do	Eighty four dollars and thirty two cents	84 32
No. 2, R. 5, do	Eighty eight dollars and sixteen cents.	88 16
No. 3, R. 5, do	Eighty nine dollars and sixty cents	89 60
No. 1, R. 6, W. B. K. P., S. half	Thirty four dollars and eighty cents	34 80
No. 1, R. 6, W. B. K. P., N. half	Twenty four dollars	24 00
No 2, R. 6, W. B. K. P., do	One hundred dollars	100 00
No. 3, R. 6, do	Thirty four dollars and fifty one cents	34 51
No. 1, R. 7, do	Forty dollars and forty cents	40 40
No 2, R. 7, do	Seventeen dollars and twenty cents	17 20
No. 1, R. 8, do	One hundred fifty two dollars and eighty one cts	152 81
No. 2, R. 8, do	Fifteen dollars and twenty cents	15 20
Gore N. of Nos 2 & 3, R. 6.	Sixteen dollars	16 00
No. 6, N of Weld, between Phillips and Byron.....	Thirty six dollars	36 00
	Twenty four thousand seven hundred forty dollars and seventy five cents.	24,740 75

COUNTY OF HANCOCK.

Amherst	Two hundred ninety one dollars and thirty one cents.	291 31
Aurora	One hundred sixty eight dollars and thirty five cents.	168 35
Bluehill	One thousand eight hundred three dollars and thirty six cents.	1 803 36
Brooklin	Five hundred seventy two dollars and sixteen cents.	572 16
Brooksville.....	Eight hundred thirty three dollars and twenty two cents.	833 22
Bucksport.....	Four thousand two hundred thirty eight dollars and fifty three cents.	4,238 53
Castine.....	One thousand four hundred fifty four dollars and one cent.	1,454 01
Cranberry Isles ..	Two hundred nine dollars and twenty three cents.	209 23
Deer Isle	One thousand five hundred dollars and seventy seven cents.	1,500 77
Dedham.....	Three hundred ninety four dollars and thirteen cents.	394 13
Eastbrook.....	Two hundred fifty five dollars and thirty six cents.	255 36
Eden	Two thousand four hundred ninety four dollars and ninety one cents.	2,494 91
Ellsworth	Five thousand eight hundred thirty seven dollars and sixty one cents.	5,837 61
Franklin.....	Seven hundred fifteen dollars and seventy seven cents.	715 77
Gould-borough.....	Nine hundred five dollars and ninety one cents.	905 91
Hancock	Seven hundred twelve dollars and ninety nine cents.	712 99
Isle au Haut.....	One hundred thirty one dollars and seventy nine cts.	131 79
Lamoine	Five hundred ninety five dollars and eighteen cents.	595 18
Mariaville.....	Three hundred twenty eight dollars and thirty three cents.	328 33
Mount Desert	Six hundred forty five dollars and sixty five cents.	645 65
Orland.....	One thousand four hundred thirty seven dollars and sixty six cents.	1,437 66
Otis	One hundred thirty nine dollars and seventy eight cents.	139 78
Penobscot	Eight hundred sixty five dollars and ten cents.	865 10
Sedgwick	Seven hundred fifty seven dollars and forty four cts.	757 44
Sullivan.....	Seven hundred seventy six dollars and thirty five cts.	776 35
Surry	Eight hundred fifty three dollars and forty two cents.	853 42
Tremont	One thousand four hundred fifty dollars and seventy five cents.	1,450 75
Trenton.....	Four hundred forty eight dollars and ninety seven cents.	448 97
Verona.....	Two hundred one dollars and thirty seven cents.	201 37
Waltham	Three hundred thirteen dollars and fifty six cents.	313 56
Swan's Island pl.....	Two hundred dollars and seventy two cents.	200 72
Long Island pl.....	Eighty nine dollars and sixty cents.	89 60
No. 7 pl.....	Sixty two dollars and twenty six cents.	62 26
No. 3, North Division	Eighty three dollars and twenty cents.	83 20
No. 4, North Division	One hundred thirty two dollars and eight cents.	132 08
Strip N of No. 3, N. Div	Twenty five dollars and ten cents.	25 10
Strip N of No. 4, N. Div	Forty seven dollars and six cents.	47 06
No. 8, South Division	Thirty dollars and seventy two cents.	30 72
No. 9, do do	Fifteen dollars and sixty cents.	15 60
No. 10, adj'g Steuben	Forty dollars.	40 00
No. 16, Mid. Division	Sixty dollars.	60 00
No. 21, do	Eighty eight dollars and sixteen cents.	88 16
No. 22, do	One hundred seventy six dollars and thirty two cents.	176 32
No. 28, do	Seventy dollars and fifty three cents.	70 53
No. 32, do	One hundred thirty seven dollars and seventy two cts.	137 72
No. 33, do	One hundred dollars.	100 00
No. 34, do	One hundred dollars.	100 00
No. 35, do	One hundred dollars.	100 00
No. 39, do	Eighty eight dollars and sixteen cents.	88 16
No. 40, do	Eighty eight dollars and sixteen cents.	88 16
No. 41, do	Sixty dollars.	60 00
Butter Island.....	Eight dollars.	8 00
Eagle Island	Twelve dollars.	12 00
Spruce Head and Bear Islands	Four dollars.	4 00
Beach Island	Two dollars.	2 00
Hog Island.....	Two dollars and eighty cents.	2 80
Bradbury Island	Two dollars and eighty cents.	2 80
Pond, near Little Deer Island	One dollar and twenty cents.	1 20
Western Island.....	Seventy cents.	70

COUNTY OF HANCOCK—(CONCLUDED.)

Little Spruce Head	One dollar and twenty cents.....	1 20
Island	Sixteen dollars.....	16 00
Marshall's Island	Ten dollars and forty cents	10 40
Pekering's Island	Six dollars	6 00
Old Harbor Island	Thirty three thousand one hundred ninety five dol- lars and forty six cents.....	33,195 46

COUNTY OF KENNEBEC.

Albion.....	One thousand four hundred eighty five dollars and forty five cents	1,485 45
Augusta.....	Twenty thousand six hundred ninety three dollars and forty eight cents.	20,693 48
Belgrade	One thousand nine hundred seventy seven dollars and ninety four cents.....	1,977 94
Benton	One thousand five hundred nine dollars and sixty four cts.	1,509 64
Chelsea	Eight hundred twenty eight dollars and seventy four cts.	828 74
China	Two thousand two hundred eighty nine dollars and seventy five cents	2,289 75
Clinton	Two thousand three hundred fifty dollars and forty eight cents	2,350 48
Farmingdale	One thousand five hundred fifty three dollars and sixty cents	1,553 60
Fayette	One thousand one hundred dollars and fifty three cents ..	1,100 53
Gardiner	Nine thousand five hundred twenty eight dollars and twenty three cents	9,528 23
Hallowell	Six thousand four hundred fifty dollars and sixty two cts.	6,450 62
Litchfield	One thousand eight hundred twenty one dollars and four- teen cents	1,821 14
Manchester	One thousand one hundred sixty six dollars and sixty cts.	1,166 60
Monmouth	Two thousand four hundred forty one dollars and two cts	2,441 02
Mt. Vernon	One thousand five hundred seventy six dollars and seventy two cents	1,576 72
Oakland.....	Two thousand six hundred forty nine dollars and fifteen cents	2,649 15
Pittston.....	Two thousand six hundred eighty five dollars and twenty six cents	2,585 26
Readfield.....	One thousand nine hundred ninety nine dollars and forty six cents	1,999 46
Rome.....	Five hundred twenty one dollars and sixteen cents.	521 16
Sidney.....	Two thousand three hundred twenty three dollars and forty one cents	2,323 41
Vassalborough...	Four thousand seven hundred sixty three dollars and ninety three cents	4,763 93
Vienna	Six hundred seventy one dollars and two cents	671 02
Waterville	Ten thousand four hundred sixty dollars and forty one cts	10,460 41
Wayne	One thousand three hundred fifty seven dollars and seventy cents	1,357 70
West Gardiner...	One thousand three hundred three dollars and forty nine cents	1,303 49
Windsor	One thousand two hundred eleven dollars and fourteen cents	1,211 14
Winslow	Two thousand seventeen dollars and sixteen cents	2,017 16
Winthrop	Four thousand five hundred seven dollars and forty six cents	4,507 46
Unity plantation.	Fifty six dollars and forty nine cents.....	56 49
	Ninety three thousand three hundred one dollar and eighteen cents	93,301 18

COUNTY OF KNOX.

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Appleton.....	One thousand two hundred eighty six dollars and four cts.	1,286 04
Camden	Six thousand seven hundred eighteen dollars and fifty two cents	6,718 52
Cushing	Four hundred sixty four dollars and four cents	464 04
Friendship.....	Six hundred thirty one dollars and nineteen cents	631 19
Hope	Eight hundred fifty dollars and thirty two cents	850 32
Hurricane Isle...	One hundred sixty two dollars and fifteen cents	162 15
North Haven....	Six hundred eight dollars and fifty six cents	608 56
Rockland.....	Eleven thousand eight hundred twenty seven dollars and twenty five cents.	11,827 25
South Thomaston	One thousand two hundred ninety one dollars and eighty five cents	1,291 85
St. George	Two thousand ninety nine dollars and ninety four cents.	2,099 94
Thomaston	Eight thousand eight hundred sixteen dollars and seven cents	8,816 07
Union	Two thousand three hundred ninety three dollars and ninety nine cents	2,393 99
Vinalhaven	One thousand eight hundred eighty nine dollars and eighty eight cents	1,889 88
Warren	Three thousand one hundred sixty four dollars and ninety one cents.	3,164 91
Washington	One thousand one hundred eighty one dollars and ten cts.	1,181 10
Mattineus Isle pl.	Ninety dollars and eighteen cents.	90 18
Muscle Ridge pl.	One hundred twenty nine dollars and eighty two cents ...	129 82
	Forty three thousand six hundred five dollars and eighty one cents.	43,605 81

COUNTY OF LINCOLN.

Alna	Eight hundred twenty seven dollars and thirty one cents.	827 31
Boothbay	Three thousand eighty eight dollars and twenty nine cents	3,098 29
Bremen	Seven hundred sixty three dollars and eighty four cents..	763 84
Bristol	Two thousand three hundred sixty five dollars and thirty five cents	2,365 35
Damariscotta ...	Two thousand three hundred seventy one dollars and ninety five cents	2,371 95
Dresden	One thousand three hundred nine dollars and ninety three cents	1,309 93
Edgecomb.....	Seven hundred fifty nine dollars and ninety two cents ..	759 92
Jefferson	One thousand eight hundred forty one dollars and forty three cents	1,841 43
Newcastle	Three thousand three hundred twelve dollars and forty cents.	3,312 40
Nobleborough ...	Nine hundred sixty dollars and thirty seven cents	960 37
Somerville	Four hundred twenty six dollars and forty one cents	426 41
Southport	Five hundred thirty one dollars and eighteen cents	531 18
Waldoborough....	Four thousand five hundred fifty dollars and ninety six cts.	4,550 96
Westport	Four hundred three dollars and twenty seven cents	403 27
Whitefield.....	One thousand seven hundred sixty seven dollars and eighty two cents.	1,767 82
Wisnasset.....	One thousand two hundred eighty four dollars and twenty three cents	1,284 23
Monhegan Isle pl.	Forty one dollars and sixty one cents	41 61
	Twenty six thousand six hundred six dollars and twenty seven cents	26,606 27

COUNTY OF OXFORD.

Albany	Five hundred fifty seven dollars and ninety one cents.....	557 91
Andover	Four hundred ninety one dollars and nine cents.....	491 09
Bethel	Two thousand nine hundred sixty dollars and thirty two cents.....	2,960 32
Brownfield	One thousand twelve dollars and sixty three cents.....	1,012 63
Buckfield	One thousand five hundred ninety four dollars and nine cents.....	1,594 69
Byron	One hundred fifty six dollars and fifty nine cents.....	156 59
Canton	One thousand four hundred seventy three dollars and forty nine cents.....	1,473 49
Denmark	One thousand two hundred twenty three dollars and forty six cents.....	1,223 46
Dixfield	One thousand two hundred eighty three dollars and fifty seven cents.....	1,283 57
Fryeburg	Three thousand one hundred eighty nine dollars and sixty nine cents.....	3,189 69
Gilead	Two hundred ninety dollars and thirty nine cents.....	290 39
Grafton	One hundred three dollars and sixty five cents.....	103 65
Greenwood	Five hundred ninety eight dollars and forty six cents.....	598 46
Hanover	Two hundred fifty seven dollars and seventeen cents.....	257 17
Hartford	One thousand two hundred six dollars and nineteen cents.....	1,206 19
Hebron	Seven hundred fifty seven dollars and ninety two cents.....	757 92
Miram	One thousand five hundred seventy six dollars and thirteen cents.....	1,576 13
Lowell	One thousand two hundred twenty five dollars and sixty nine cents.....	1,225 69
Mason	One hundred ten dollars and four cents.....	110 04
Mexico	Four hundred twenty three dollars and fifty seven cents.....	423 57
Newry	Three hundred sixty three dollars and eighty four cents.....	363 84
Norway	Three thousand five hundred sixty five dollars and ninety one cents.....	3,565 91
Oxford	One thousand nine hundred thirty seven dollars and three cents.....	1,937 03
Paris	Three thousand nine hundred forty eight dollars and eighty nine cents.....	3,948 89
Peru	Nine hundred ninety dollars and ninety five cents.....	990 95
Porter	One thousand one hundred twenty dollars and fifty one cents.....	1,120 51
Roxbury	Ninety three dollars and twenty three cents.....	93 23
Rumford	One thousand four hundred seven dollars and forty four cents.....	1,407 44
Stow	Five hundred thirteen dollars and eighty four cents.....	513 84
Stoneham	Two hundred seventy four dollars and seventy one cents.....	274 71
Sumner	One thousand two hundred forty six dollars and seventy seven cents.....	1,246 77
Sweden	Six hundred thirty five dollars and three cents.....	635 02
Upton	One hundred seventy five dollars and sixty nine cents.....	175 69
Waterford	One thousand three hundred fifty nine dollars and forty three cents.....	1,359 43
Woodstock	Seven hundred eighty six dollars and sixty two cents.....	786 62
Franklin plantat'n	One hundred four dollars and eighty six cents.....	104 86
Lincoln do	Twenty two dollars and four cents.....	72 04
Milton do	One hundred sixty four dollars and forty eight cents.....	164 48
Fryeburg Academy Grant	Thirty two dollars.....	32 00
A, R. 1, (Riley pl.)	Seventy five dollars and twenty cents.....	75 20
Andover N. Surp.	Thirty six dollars and seventy seven cents.....	36 77
Andover W. Surp.	Sixteen dollars.....	16 00
C	Fifty five dollars and forty one cents.....	55 41
C Surplus	Forty seven dollars and ninety nine cents.....	47 99
No 4, R. 1	Sixty five dollars and seventy four cents.....	65 74
No. 5, R. 1	One hundred ten dollars and eighty five cents.....	110 85
No. 4, R. 2	Seventy nine dollars and forty nine cents.....	79 49
No 4, R. 3	Sixty two dollars and forty one cents.....	62 41
No. 5, R. 3	Eighty five dollars and seventy five cents.....	85 75
No 4, R. 4	Eighty six dollars and eighty cents.....	86 80
No. 5, R. 4	One hundred forty dollars and eighty five cents.....	140 85
No. 4, R. 5	Twenty seven dollars and seventeen cents.....	27 17
No. 4, R. 6	Twenty eight dollars and forty six cents.....	28 46
No. 5, R. 5, S. half	Thirty nine dollars and five cents.....	39 05
No 5, R. 5, N. half	Thirty nine dollars and five cents.....	39 05
Bachelor's Grant	Forty dollars.....	40 00
Forty thousand three hundred twenty two dollars and thirty one cents.....		40,322 31

COUNTY OF PENOBSCOT.

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Alton	Three hundred seventeen dollars and one cent.	817 01
Argyle	Two hundred two dollars and forty nine cents	202 49
Bangor	Thirty four thousand nine hundred ninety two dollars and thirty one cents	34,992 31
Bradford	One thousand thirteen dollars and forty cents	1,013 40
Bradley	Four hundred seventy eight dollars and thirty four cents	478 34
Brewer	Two thousand nine hundred forty eight dollars and sixty five cents	2,948 65
Burlington	Three hundred fifty seven dollars and forty five cents	357 45
Carmel	One thousand one hundred sixty seven dollars and twenty four cents	1,167 24
Carroll	Four hundred fifty one dollars and forty three cents	451 43
Charleston	One thousand one hundred fourteen dollars and forty seven cents	1,114 47
Chester	One hundred seventy two dollars and two cents	172 02
Clifton	One hundred seventy eight dollars and three cents	178 03
Corinna	One thousand six hundred ninety dollars and forty one cents	1,690 41
Corinth	One thousand seven hundred fifty nine dollars and ninety six cents	1,759 96
Dexter	Three thousand eight hundred fifty eight dollars and ninety two cents	3,858 92
Dixmont	One thousand two hundred thirty five dollars and ninety five cents	1,235 95
Eddington	Five hundred seventeen dollars and twenty two cents	517 22
Edinburg	Seventy one dollars and eight cents	71 08
Enfield	Two hundred fifty eight dollars and twenty four cents	258 24
Etna	Six hundred fifty one dollars and one cent	651 01
Exeter	One thousand seven hundred eight dollars and sixteen cents	1,708 16
Garland	One thousand three hundred thirty dollars and twenty cents	1,330 20
Glenburn	Five hundred fifty six dollars and twenty nine cents	556 29
Greenbush	Three hundred sixty nine dollars and sixty eight cents	369 68
Greenfield	One hundred eighty dollars and sixty nine cents	180 69
Hampden	Two thousand seven hundred eleven dollars and thirty nine cents	2,711 39
Hermion	One thousand six hundred three dollars and seventy cents	1,603 70
Holden	Seven hundred dollars and seventy three cents	700 73
Howland	One hundred twenty one dollars and seventy nine cents	121 79
Hudson	Three hundred seventy seven dollars and eight cents	377 08
Kenduskeag	Seven hundred twenty eight dollars and seventy four cents	728 74
Kingman	Three hundred three dollars and forty eight cents	303 48
Lagrange	Eight hundred twelve dollars and fifty eight cents	812 58
Lee	Four hundred forty two dollars and two cents	442 02
Levant	One thousand one hundred thirty one dollars and forty cents	1,131 40
Lincoln	One thousand four hundred sixty six dollars and eight cents	1,466 08
Lowell	Two hundred sixty two dollars and seventy nine cents	262 79
Mattamiscottis	Fifty one dollars and sixty six cents	51 66
Mattawamkeag	Three hundred twelve dollars and thirty cents	312 30
Maxfield	Seventy dollars and fifty six cents	70 56
Medway	Three hundred twenty dollars and twelve cents	320 12
Milford	Seven hundred dollars and forty nine cents	700 49
Mt. Chase	One hundred thirteen dollars and twelve cents	113 12
Newburg	One thousand one hundred three dollars and forty six cents	1,103 46
Newport	One thousand five hundred sixteen dollars and sev- enty five cents	1,516 75
Oldtown	Two thousand one hundred seventeen dollars and forty four cents	2,117 44
Orono	Two thousand fifty six dollars and nine cents	2,056 09
Orrington	One thousand six hundred twenty eight dollars and nine cents	1,628 09
Passadumkeag	One hundred seventy one dollars and forty four cents	171 44
Patten	Seven hundred ninety five dollars and thirty seven cents	795 37

COUNTY OF PENOBSCOT—(CONCLUDED.)

Plymouth	Seven hundred thirty five dollars and eighty two cents	735 82
Prentiss	Two hundred seventy two dollars and twenty cents ..	272 20
Springfield	Four hundred twenty two dollars and ninety one cents	422 91
Stetson	Eight hundred seventy nine dollars and seventy eight cents	879 78
Veazie	Four hundred eighty seven dollars and fifty one cents	487 51
Winn	Four hundred fifteen dollars and twenty four cents ..	415 24
Drew plantation	One hundred thirty three dollars and fifty four cents ..	133 54
Lakeville plantation ..	One hundred ninety four dollars and seventy seven cents	194 77
No 2, Grand Falls pl	Ninety five dollars and fifty two cents	95 52
Stacyville plantation ..	Eighty one dollars and ninety cents	81 90
Webster do	One hundred forty four dollars and seventy two cents ..	144 72
Woodville do	One hundred twenty eight dollars and twenty five cents	128 25
No 3, R. 1, N. B. P. P	One hundred four dollars and four cents	104 04
No 5, R. 1, do	Forty four dollars and eight cents	44 08
No 2, R. 8, N. W. P	Fifty dollars and forty cents	50 40
No 3, R. 8, E. half N. W. P	Fifteen dollars and forty cents	15 40
No 3, R. 8, W. half N. W. P	Fifteen dollars and forty cents	15 40
No 2, R. 9, N. W. P	Fifty five dollars and twenty cents	55 20
No 3, R. 9, do	Forty four dollars and eighty cents	44 80
No 1, R. 6, W. E. L. S	Ninety four dollars	94 00
No 2, R. 6, do	Two hundred dollars	200 00
No 6, R. 6, do	Eighty eight dollars and sixteen cents	88 16
No 7, R. 6, do	Ninety four dollars and forty eight cents	94 48
No 8, R. 6, do	Eighty eight dollars and thirty two cents	88 32
A. K. 7, do	Sixty two dollars	62 00
No 1, R. 7, do	Ninety four dollars and ninety six cents	94 96
No 2, R. 7, do	Sixty four dollars	64 00
No 3, R. 7, S. pt. do	Forty seven dollars and seventeen cents ..	47 17
No 3, R. 7, N. pt. do	Sixty dollars	60 00
No 4, R. 7, do	Sixty six dollars	66 00
No 5, R. 7, do	Forty four dollars	44 00
No 6, R. 7, do	Twenty seven dollars	27 00
No 7, R. 7, do	Sixty six dollars and twenty cents	66 20
No 8, R. 7, N. ½ do	Fifty dollars	50 00
No 8, R. 7, S. W. ¼ do	Fourteen dollars	14 00
No 8, R. 7, S. E. ¼ do	Twenty six dollars	26 00
East Hopkins Academy	Forty four dollars and forty cents	44 40
West do do	Thirty three dollars and twenty eight cents	33 28
No 8, R. 8, W. E. L. S	Fifty two dollars	52 00
A. R. 8 & 9 do	Ninety dollars	90 00
No 3, Indian Purchase	Ninety seven dollars and sixty cents	97 60
No 4, do do	Eighty three dollars and twenty cents	83 20
No 1, R. 8, W. E. L. S	Sixty six dollars	66 00
No 2, R. 8, S. half W. E. L. S	Forty four dollars	44 00
No 2, R. 8, N. half W. E. L. S	Twenty eight dollars	28 00
No 3, R. 8, E. half W. E. L. S	Twenty six dollars and forty cents	26 40
No 3, R. 8, W. half W. E. L. S	Twenty two dollars and twenty cents	22 20
No 4, R. 8, W. E. L. S	Seventy dollars and forty cents	70 40
No 5, R. 8, do	Eighty eight dollars and sixteen cents	88 16
No 6, R. 8, do	Sixty six dollars	66 00
No 7, R. 8, do	Eighty six dollars	86 00
No 1, North Division	Sixty dollars	60 00
	Eighty five thousand six hundred sixty two dollars and sixty seven cents	85,662 67

COUNTY OF PISCATAQUIS.

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Abbot.....	Seven hundred dollars and fifty cents.....	700 50
Atkinson.....	Seven hundred twenty five dollars and fifty cents..	725 50
Blanchard.....	One hundred twenty two dollars and fifteen cents ..	122 15
Brownville.....	Eight hundred fifty one dollars and ninety cents ..	851 90
Dover.....	Two thousand three hundred four dollars and thirty cents	2,304 30
Foxcroft.....	One thousand five hundred eighty one dollars and fifty eight cents	1,581 58
Greenville.....	Three hundred sixty five dollars and ninety cents ..	365 90
Guilford.....	One thousand sixteen dollars and seventy one cents ..	1,016 71
Kingsbury.....	Ninety three dollars and forty four cents	93 44
Medford.....	Two hundred twelve dollars and forty three cents ..	212 43
Milo.....	Eight hundred sixteen dollars and eleven cents.....	816 11
Monson.....	Six hundred forty dollars and eighty two cents.....	640 82
Orneville.....	Two hundred ninety six dollars and nine cents.....	296 09
Parkman.....	Nine hundred ninety nine dollars and sixty nine cts ..	999 69
Sangerville.....	One thousand one hundred sixty nine dollars and forty one cents	1,169 41
Sebec.....	Seven hundred twenty two dollars and four cents..	722 04
Shirley.....	Two hundred four dollars and forty eight cents.....	204 48
Wellington.....	Four hundred sixty eight dollars and fifty one cts ..	468 51
Williamsburg.....	One hundred thirteen dollars and sixty cents.....	113 60
Willimantic.....	Two hundred dollars	200 00
No 4, R. 8, N. W. P. .	Sixty six dollars and twelve cents.....	66 12
No 6, R. 8, (formerly Barard).	One hundred fifteen dollars and one cent	115 01
No 7, R. 8, (formerly Bowerbank).	One hundred dollars	100 00
No 4, R. 9, N. W. P. .	Forty four dollars and eight cents.....	44 08
No 5, R. 9, N. W. P. .	Eighty eight dollars and sixteen cents.....	88 16
No 6, R. 9, N. W. P. .	Two hundred dollars	200 00
No 7, R. 9, N. W. P. .	Sixty one dollars and seventy one cents	61 71
No 8, R. 9, Ellitsville..	Forty four dollars and eight cents	44 08
No 9, R. 9, N. W. P. .	Twenty four dollars	24 00
No 3, R. 5, B. P.	Ninety eight dollars and eighty cents.....	98 80
No 2, R. 6, B. P.	Ninety eight dollars and eighty cents.....	98 80
No 1, R. 9, W. E. L. S.	Fifty two dollars and ninety cents	52 90
No 2, R. 9, do	Seventy dollars and fifty three cents	70 53
No 3, R. 9, do	Forty dollars	40 00
No 4, R. 9, do	Eighty eight dollars and sixteen cents	88 16
No 5, R. 9, do	Eighty eight dollars and seven cents	88 07
No 6, R. 9, do	One hundred and twenty dollars	120 00
No 7, R. 9, E. ½ do	Forty three dollars and ninety nine cents.....	43 99
No 7, R. 9, W. ½ do	Forty three dollars and ninety nine cents.....	43 99
No 8, R. 9, do	Thirty five dollars and twenty cents	35 20
No 9, R. 9, do	Fifty two dollars and seventy two cents	52 72
No 10, R. 9, do	Ninety two dollars and nineteen cents	92 19
A, R. 10, do	Eighty eight dollars and sixteen cents	88 16
B, R. 10, do	Twenty dollars and forty cents	20 40
No 1, R. 10, do	Eighty eight dollars and sixteen cents	88 16
No 2, R. 10, do	Eighty eight dollars and sixteen cents	88 16
No 3, R. 10, do	Eighty eight dollars and sixteen cents	88 16
No 4, R. 10, do	Eighty eight dollars and sixteen cents	88 16
No 5, R. 10, E. ½ do	Forty eight dollars	48 00
No 5, R. 10, N. W. ¼, W. E. L. S.	Twenty two dollars and ninety three cents.....	22 93
No 5, R. 10, S. W. ¼, W. E. L. S.	Twenty one dollars and twenty three cents	21 23
No 6, R. 10, do	Ninety dollars and ninety two cents	90 92
No 7, R. 10, do	Sixty six dollars	66 00
No 8, R. 10, do	Fifty four dollars and sixty two cents.....	54 62
No 9, R. 10, do	Fifty five dollars and seventeen cents.....	55 17
No 10, R. 10, do	Fifty four dollars and fifty cents	54 50
A, R. 11, do	One hundred thirty two dollars and twenty four cts ..	132 24
B, R. 11, do	One hundred fourteen dollars and ninety four cents ..	114 94
No 1, R. 11, do	Eighty eight dollars and sixteen cents	88 16
No 2, R. 11, do	Sixty six dollars and twelve cents	66 12
No 3, R. 11, do	Eighty eight dollars and sixteen cents	88 16
No 4, R. 11, do	Ninety seven dollars and thirty cents.....	97 30
No 5, R. 11, do	Ninety two dollars	92 00
No 6, R. 11, do	One hundred twenty nine dollars and twenty cents ..	129 20
No 7, R. 11, do	Ninety one dollars and twenty one cents	91 21
No 8, R. 11, do	Eighty eight dollars and seventy eight cents	88 78
No 9, R. 11, do	Eighty eight dollars and eighty cents.....	88 80

COUNTY OF PISCATAQUIS—(CONCLUDED.)

No. 10, R. 11, W. E. L. S.	Ninety one dollars and four cents.....	91 04
Bowdoin College, East..	Eighty eight dollars and sixteen cents.....	88 16
Bowdoin College, West..	Eighty eight dollars and sixteen cents.....	88 16
A. R. 12, W. E. L. S.	One hundred ninety eight dollars and six cents....	198 06
No. 1, R. 12, N. $\frac{1}{2}$, do	One hundred twenty two dollars and eighty eight cts	122 88
No. 1, R. 12, S. $\frac{1}{2}$, W. E. L. S.	Sixty one dollars and forty four cents.....	61 44
No. 2, R. 12, do	Eighty eight dollars and sixteen cents.....	88 16
No. 3, R. 12, E. $\frac{1}{2}$, do	Thirty three dollars and twenty two cents.....	33 22
No. 3, R. 12, W. $\frac{1}{2}$, do	Thirty three dollars and twenty two cents.....	33 22
No. 4, R. 12, E. $\frac{1}{2}$, do	Forty four dollars and thirty two cents.....	44 32
No. 4, R. 12, W. $\frac{1}{2}$, do	Forty five dollars and fifty one cents.....	45 51
No. 5, R. 12, do	One hundred sixteen dollars and sixty eight cents.	116 68
No. 6, R. 12, do	Ninety dollars and twenty two cents.....	90 22
No. 7, R. 12, do	Ninety two dollars and eighty two cents.....	92 82
No. 8, R. 12, do	Eighty eight dollars and fifty cents.....	88 50
No. 9, R. 12, do	Eighty five dollars and fifty four cents.....	85 54
No. 10, R. 12, do	Eighty seven dollars and ninety six cents.....	87 96
A. R. 13, do	One hundred dollars.....	100 00
A. 2, R. 13 and 14, do	Seventy one dollars and seventy cents.....	71 70
No. 1, R. 13, do	Eighty eight dollars and sixteen cents.....	88 16
No. 2, R. 13, do	Seventy six dollars and nine cents.....	76 09
No. 3, R. 13, do	Seventy nine dollars and fifty eight cents.....	79 58
No. 4, R. 13, $\frac{1}{2}$, do	Five dollars and sixty cents.....	5 60
No. 4, R. 13, S. $\frac{1}{2}$, do	Twenty four dollars and thirty cents.....	24 30
No. 4, R. 13, N. $\frac{1}{2}$, do	Ten dollars and sixty eight cents.....	10 68
No. 5, R. 13, do pt.,	Fourteen dollars and forty cents.....	14 40
No. 5, R. 13, do pt.,	Thirty two dollars.....	32 00
No. 5, R. 13, do pt.,	Two dollars and eighty cents.....	2 80
No. 6, R. 13, do	Eighty seven dollars and seventy one cents.....	87 71
No. 7, R. 13, do	Sixty five dollars and sixteen cents.....	65 16
No. 8, R. 13, do	Fifty six dollars.....	56 00
No. 9, R. 13, do	Sixty dollars.....	60 00
No. 10, R. 13, do	Forty four dollars and fifty cents.....	44 50
A. R. 14, $\frac{1}{2}$, do	One hundred twenty seven dollars and fifteen cents	127 15
A. R. 14, $\frac{1}{2}$, do		
Shaw and Bradstreet..	Eighteen dollars and sixteen cents.....	18 16
No. 1, R. 14 and X, R. 14, W. E. L. S.	One hundred two dollars and twenty one cents...	102 21
No. 3, R. 14 and 15, E. $\frac{1}{2}$, W. E. L. S.	Seventy one dollars and seventy one cents.....	71 71
No. 3, R. 14 and 15, W. $\frac{1}{2}$, W. E. L. S.	Forty six dollars and forty seven cents.....	46 47
No. 4, R. 14, W. E. L. S.	Seventy six dollars.....	76 00
No. 5, R. 14, do	Seventy six dollars.....	76 00
No. 6, R. 14, do	Sixty four dollars.....	64 00
No. 7, R. 14, do	Sixty dollars.....	60 00
No. 8, R. 14, do	Forty five dollars and sixty four cents.....	45 64
No. 9, R. 14, do	Forty five dollars and twelve cents.....	45 12
No. 10, R. 14, do	Forty dollars.....	40 00
Sugar Island, do	Sixty four dollars and eighty cents.....	64 80
Deer Island, W. E. L. S.	Sixteen dollars.....	16 00
Middlesex Canal, do	Eighty eight dollars and sixteen cents.....	88 16
Day's Acad Grant do	Sixty one dollars and eight cents.....	61 08
No. 4, R. 15, do	Forty eight dollars and sixty seven cents.....	48 67
No. 5, R. 15, do	Fifty two dollars.....	52 00
No. 6, R. 15, do	Forty five dollars and thirty cents.....	45 30
No. 7, R. 15, E. $\frac{1}{2}$, do	Thirty five dollars and thirty three cents.....	35 33
No. 7, R. 15, W. $\frac{1}{2}$, do	Twenty two dollars and seventy seven cents.....	22 77
No. 8, R. 15, do	Thirty six dollars and thirty five cents.....	36 35
No. 9, R. 15, do	Thirty six dollars and seventy two cents.....	36 72
No. 10, R. 15, do	Thirty five dollars and eighty four cents.....	35 84
Moose Island.....	Eight dollars.....	8 00
Kineo.....	Two hundred dollars.....	200 00
Farm Island.....	Twelve dollars.....	12 00
	Twenty one thousand thirty five dollars and twenty cents.....	21,035 30

COUNTY OF SAGADAHOC.

CHAP. 346

Arrowsic.....	Three hundred forty six dollars and thirty eight cents ...	346 88
Bath	Twenty three thousand six hundred seventy five dollars and forty two cents.....	23,675 42
Bowdoinham	Two thousand four hundred forty six dollars and seven cents	2,446 07
Bowdoin	One thousand five hundred eighty three dollars and five cents	1,583 05
Georgetown.....	Five hundred ninety four dollars and fourteen cents	594 14
Perkins	One hundred fifty dollars and sixty five cents	150 65
Phipsburg	One thousand four hundred ninety dollars and sixty four cents	1,490 64
Richmond	Four thousand eight hundred ninety one dollars and eighty one cents	4,891 81
Topsham	Three thousand two hundred eighty two dollars and four- teen cents	3,282 14
West Bath.....	Six hundred forty seven dollars and four cents.. ..	647 04
Woolwich	Two thousand one hundred thirty three dollars and thirty four cents	2,133 34
	Forty one thousand two hundred forty dollars and sixty eight cents	41,240 68

COUNTY OF SOMERSET.

Abson	Two thousand three hundred forty four dollars and eighty cents	2,344 80
Athens	One thousand four hundred seventy four dollars and ninety two cents	1,474 92
Bingham	Eight hundred eight dollars and twenty five cents.	808 25
Brighton	Two hundred eighty nine dollars and nineteen cts.	289 19
Cambridge	Four hundred seventy dollars and sixty three cents	470 63
Canaan	One thousand four hundred five dollars and ninety three cents.	1,405 93
Concord.....	Three hundred eighty one dollars and sixty four cents.	381 64
Cornville	One thousand three hundred seventy eight dollars and eighty eight cents	1,378 88
Detroit	Four hundred sixty nine dollars and eighty five cts	469 85
Emden	Six hundred eighty six dollar and fifty cents.....	686 50
Fairfield	Five thousand one hundred sixty two dollars and thirty nine cents	5,162 39
Harmony	Seven hundred sixty one dollars and twenty six cent.. ..	761 26
Hartland	One thousand four hundred sixty seven dollars and eighty five cents	1,467 85
Lexington.....	Two hundred thirty four dollars and fifty one cents.	234 51
Madison	Two thousand one hundred eighty eight dollars and thirty six cents	2,188 36
Mayfield	Seventy one dollars and eighty five cents	71 85
Mercer	Eight hundred sixty three dollars and fifteen cts..	863 15
Muscow	Three hundred eighty one dollars and ninety cents	381 90
New Portland	One thousand eight hundred sixty nine dollars and thirteen cents	1,869 13
Norridgewock	Two thousand three hundred thirty one dollars and eighty one cents	2,331 81
Palmyra	One thousand four hundred thirty three dollars and thirty one cents	1,433 31
Pittsfield.....	Two thousand two hundred forty seven dollars and sixty one cents.. ..	2,247 61
Ripley.....	Four hundred seventy eight dollars and eighty eight cents	478 88
St. Albans	One thousand six hundred seventy nine dollars and eighty three cents	1,679 83
Solon	One thousand three hundred eighty three dollars and eight nine cents	1,383 89
Showhegan	Eight thousand two hundred twenty five dollars and forty three cents	8,225 43
Smithfield.....	Five hundred seventy two dollars and fifty nine cents	572 49

Starks	One thousand two hundred fifty one dollars and seventy four cents.....	1,251 74
Carrying Place plantat'n	Forty dollars and five cents	40 05
Dead River plantation ..	Ninety two dollars and twenty one cents.....	92 21
Flag staff plantation ..	One hundred sixty four dollars and fifty three cts.	164 53
Highland plantation.....	Seventy three dollars and seventy nine cents.....	73 79
No. 1, R. 2, W. K. R.	Eighty dollars.....	80 00
No. 2, R. 3, do ..	Eighty dollars.....	80 00
No. 4, R. 3, N. B. do ..	Forty two dollars and eighty cents	42 80
No. 1, R. 4, do ..	Twenty four dollars	24 00
No. 2, R. 4, do ..	Seventy dollars and fifty six cents.....	70 56
No. 3, R. 4, do ..	One hundred twenty dollars	120 00
No. 1, R. 5, do ..	One hundred nineteen dollars and eighty cents...	119 80
No. 2, R. 5, do ..	Eighty nine dollars and twenty eight cents.....	89 28
No. 3, R. 5, do ..	One hundred and eighty dollars	180 00
No. 4, R. 5, do ..	One hundred and twenty dollars	120 00
No. 1, R. 6, do ..	Ninety six dollars and seventy cents.....	96 70
No. 2, R. 6, W. K. R.—		
E. C. R. part	Fifty two dollars and sixteen cents.....	52 10
No. 2, R. 6, W. K. R.—		
W. C. R., part	Forty dollars	40 00
No. 3, R. 6, W. K. R.—	One hundred and twenty dollars	120 00
No. 4, R. 6, do ..	One hundred sixty dollars.....	160 00
No. 5, R. 6, do ..	Eighty eight dollars and sixteen cents.....	88 16
No. 1, R. 7, do ..	One hundred twenty dollars	120 00
No. 2, R. 7, do ..	Ninety one dollars and ninety four cents.....	91 94
No. 3, R. 7, do ..	Eighty seven dollars and sixty cents	87 60
No. 4, R. 7, do ..	One hundred twenty one dollars and fifteen cents.	121 15
No. 5, R. 7, do ..	One hundred twenty five dollars and ninety five cents	125 95
No. 6, R. 7, do ..	Fifty three dollars and twenty cents.....	53 20
No. 1, R. 8, B. P. E. K. R.	One hundred dollars	100 00
No. 2, R. 8, do ..	One hundred dollars	100 00
No. 1, R. 4, do ..	Eighty eight dollars and sixteen cents.....	88 16
No. 2, R. 4, do ..	One hundred sixty dollars	160 00
No. 1, R. 5, do ..	Twenty eight dollars	28 00
No. 2, R. 5, do ..	One hundred thirty three dollars and forty four cents	133 44
No. 1, R. 6, do ..	Forty eight dollars.....	48 00
No. 1, R. 1, N. B. K. P., T. and R.	Eighty dollars.....	80 00
No. 1, R. 1, strip, N. B. K. P.	Ten dollars.....	10 00
No. 2, R. 1, N. B. K. P., Sandwich Academy..	Sixty dollars	60 00
No. 2, R. 1, strip N. B. K. P.	Seventeen dollars and eighty eight cents.....	17 88
No. 3, R. 1, N. B. K. P., Long Pond.....	Eighty dollars and twenty six cents	80 26
No. 4, R. 1, N. B. K. P., Jackmantown	Eighty eight dollars and sixteen cents.....	88 16
No. 5, R. 1, N. B. K. P., Attean Pond.....	Sixty six dollars and twelve cents.....	66 12
No. 6, R. 1, N. B. K. P., Holb	One hundred and twenty dollars	120 00
No. 1, R. 2, N. B. K. P., Tomhegan.....	One hundred dollars.....	100 00
No. 2, R. 2, N. B. K. P., Brassua	One hundred eighty dollars.....	180 00
No. 3, R. 2, N. B. K. P., Thordike	One hundred ten dollars and twenty cents.....	110 20
No. 4, R. 2, N. B. K. P., Holdentown	One hundred three dollars and sixty cents.....	103 60
No. 5, R. 2, N. B. K. P., Dennistown.....	Eighty eight dollars and sixteen cents	88 16
No. 6, R. 2, N. B. K. P., Forsaichtown	Eighty eight dollars and sixteen cents.....	88 16
Big W, N. B. K. P.	Sixty six dollars and eighty four cents.....	66 84
Little W, do ..	Twenty three dollars and thirty six cents	23 36
No. 1, R. 3, N. B. K. P., West Middlesex	Eighty eight dollars and sixteen cents.....	88 16
No. 2, R. 3, N. B. K. P., Soldiertown.....	One hundred and two dollars.....	102 00

COUNTY OF SOMERSET—(CONCLUDED)

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No. 3, R. 3, E. half N. B. K. P.	Forty three dollars and eighty four cents.....	43 84
No. 3, R. 3, W. half N. B. K. P.	Forty three dollars and eighty four cents.....	43 84
No. 4 R. 3, N. B. K. P., Bald Mountain.	Twenty two dollars and four cents	22 04
No. 5, R. 3, N. B. K. P., do	Twenty dollars	20 00
No. 6, R. 3, do	Forty cents.....	40
Seboomook.....	One hundred thirty two dollars and twenty four cents	132 24
No. 1, R. 4, N. B. K. P., Plymouthtown	Seventy two dollars	72 00
No. 2, R. 4, N. B. K. P., Pitiaton Academy.....	One hundred and ten dollars.....	110 00
No. 3, R. 4, N. B. K. P., Hammondtown	Seventy one dollars and seventy three cents	71 73
No. 4, R. 4, N. B. K. P. do	Thirty dollars and fifty nine cents.....	30 59
No. 5, R. 4, do	Seven dollars and twenty cents.....	7 20
No. 3, R. 5, do	Forty four dollars and eight cents.....	44 08
No. 4, R. 5, do	Twenty seven dollars and forty cents.....	27 40
No. 4, R. 16, W. E. L. S. do	Sixty dollars and ten cents	60 10
No. 5, R. 16, E. do	Thirty two dollars and fifty cents.....	32 50
No. 5, R. 16, W. do	Twenty one dollars and sixty six cents.....	21 66
No. 6, R. 16, do	Thirty six dollars and sixty three cents.....	36 63
No. 7, R. 16, do	Twenty eight dollars and forty nine cents.....	28 49
No. 8, R. 16, do	Thirty two dollars and thirty six cents.....	32 36
No. 9, R. 16, do	Thirty three dollars and four cents.....	33 04
No. 10, R. 16, do	Forty four dollars and seventy three cents.....	44 73
No. 4, R. 17, do	Eighty nine dollars and eighty six	89 86
No. 5, R. 17, do	Sixteen dollars and eighty four cents.....	16 84
No. 6, R. 17, do	Thirty five dollars and ninety seven cents.....	35 97
No. 7, R. 17, do	Sixty four dollars and two cents.....	64 02
No. 8, R. 17, do	Forty dollars and seven cents.....	40 07
No. 9, R. 17, do	Thirty seven dollars and twenty seven.....	37 27
No. 10, R. 17, do	Fifty dollars.....	50 00
No. 4, R. 18, do	Thirty five dollars and seventy nine cents	35 79
No. 5, R. 18, do	Fifty nine dollars and ninety four cents.....	59 94
No. 6, R. 18, do	Thirty one dollars and thirty six cents.....	31 36
No. 7, R. 18, do	Thirty two dollars and sixty four cents.....	32 64
No. 8, R. 18, do	Eighty dollars.....	80 00
No. 9, R. 18, do	Twenty three dollars and ninety two cents.....	23 92
No. 5, R. 19, do	Twenty nine dollars and ninety eight cents.....	29 98
No. 6, R. 19, do	Forty one dollars and forty cents.....	41 40
No. 7, R. 19, do	Thirty seven dollars and eleven cents.....	37 11
No. 8, R. 19, do	Forty one dollars and seventeen cents.....	41 17
No. 5, R. 20, do	Thirty nine dollars and ninety two cents.....	39 92
Forty eight thousand six hundred two dollars and forty nine cents.....		48,602 49

STATE TAX.

COUNTY OF WALDO.

Belfast	Nine thousand eight hundred and seventy dollars	9,870 00
Belmont	Four hundred fourteen dollars and fifty eight cents	414 58
Brooks	Nine hundred nineteen dollars and eighty nine cents	919 89
Burnham	Eight hundred nineteen dollars and twenty five cents	819 25
Frankfort	Seven hundred fifty dollars and sixteen cents	750 16
Freedom	Seven hundred ten dollars and eighty nine cents	710 89
Isleborough	Six hundred thirty five dollars and three cents	635 03
Jackson	Six hundred thirty nine dollars and fourteen cents	639 14
Knox	Eight hundred seventy six dollars and fifty eight cents	876 58
Liberty	One thousand sixty one dollars and twenty nine cents	1,061 29
Lincolnton	One thousand six hundred and forty two dollars	1,642 00
Monroe	One thousand two hundred forty three dollars and ninety eight cents	1,243 98
Montville	One thousand four hundred fifty four dollars and thirty two cents	1,454 32
Morrill	Four hundred eighty nine dollars and seventy nine cents	489 79
Northport	Seven hundred eighty seven dollars and thirty nine cents	787 39
Palermo	One thousand twenty two dollars and sixty seven cents	1,022 67
Prospect	Six hundred and sixty seven dollars	667 00
Searsport	One thousand four hundred sixty seven dollars and three cents	1,467 03
Searsport	Four thousand two hundred four dollars and ninety nine cents	4,204 99
Stockton	One thousand six hundred ten dollars and ninety cents	1,610 90
Swanville	Five hundred fifty five dollars and five cents	555 05
Thorndike	One thousand one hundred twenty two dollars	1,122 00
Troy	One thousand fifty eight dollars and eighteen cents	1,058 18
Unity	One thousand five hundred forty eight dollars and five cents	1,548 05
Waldo	Five hundred eighty nine dollars and eighteen cents	589 18
Winterport	Two thousand two hundred thirty seven dollars and sixty two cents	2,237 62
Thirty eight thousand three hundred ninety six dollars and ninety six cents		38,396 96

COUNTY OF WASHINGTON.

Addison	One thousand one hundred nineteen dollars and twenty five cents	1,119 25
Alexander	Two hundred eighty five dollars and twenty two cents	285 22
Bulleyville	Two hundred twelve dollars and ninety one cents	212 91
Baring	Three hundred five dollars and eighty four cents	305 84
Beddington	One hundred thirty dollars and seventy seven cents	130 77
Brookton	Three hundred thirty nine dollars and twenty four cents	339 24
Calais	Six thousand nine hundred forty two dollars and thirty two cents	6,942 32
Centerville	One hundred sixty one dollars and forty seven cents	161 47
Charlotte	Two hundred forty two dollars and eleven cents	242 11
Cherryfield	One thousand six hundred twenty two dollars and fifty six cents	1,622 56
Columbia	Four hundred eighty eight dollars and ninety two cents	488 92
Columbia Falls	Six hundred forty two dollars and forty nine cents	642 49
Cooper	Two hundred ten dollars and sixteen cents	210 16
Crawford	One hundred eighteen dollars and eighty two cents	118 82
Cutler	Three hundred fifty one dollars and twelve cents	351 12
Danforth	Four hundred twenty nine dollars and fifteen cents	429 15
Deblois	Seventy one dollars and eighty four cents	71 84
Dennysville	Seven hundred forty dollars and thirty two cents	740 32

COUNTY OF WASHINGTON—(CONTINUED.)

CHAP. 346

East Machias	One thousand nine hundred eighty six dollars and twelve cents	1,986 12
Eastport	Three thousand five hundred sixty two dollars and seventy eight cents	3,562 78
Eaton	Three hundred fifty three dollars and eighty four cents	353 84
Edmunds	Two hundred ninety dollars and thirty cents	290 30
Harrington	One thousand one hundred forty seven dollars and twenty two cents	1,147 22
Jonesborough	Three hundred twenty one dollars and thirty four cents	321 34
Jonesport	Seven hundred seventy four dollars and fifty two cents	774 52
Koonuth	One hundred six dollars and eighty six cents	106 86
Lubec	One thousand two hundred forty eight dollars and eighteen cents	1,248 18
Machias	Three thousand one hundred twenty three dollars and sixty seven cents	3,123 67
Machiasport	Seven hundred sixty eight dollars and six cents	768 06
Marion	One hundred thirteen dollars and one cent	113 01
Marshfield	Two hundred fifty one dollars and forty three cents	251 43
Meddybemps	One hundred three dollars and eighty eight cents	103 88
Milbridge	One thousand two hundred twenty three dollars and twelve cents	1,223 12
Northfield	One hundred thirty three dollars and seventy six cents	133 76
Pembroke	One thousand six hundred forty three dollars and seventeen cents	1,643 17
Perry	Six hundred ninety three dollars and ninety three cents	693 93
Princeton	Seven hundred eight dollars and forty cents	708 40
Robbinston	Four hundred forty eight dollars and seventy six cents	448 76
Stauben	Seven hundred forty three dollars and thirty two cents	743 32
Talmadge	Two hundred seven dollars and thirty eight cents	207 38
Topsfield	Two hundred seventy five dollars and forty nine cents	275 49
Trescott	One hundred ninety eight dollars and eighty two cents	198 82
Vanceboro	Five hundred nineteen dollars and one cent	519 01
Waite	One hundred twenty six dollars and eight cents	126 08
Wesley	One hundred sixty seven dollars and thirty three cents	167 33
Whiting	Three hundred twenty nine dollars and two cents	329 02
Whitneyville	Two hundred ninety one dollars and eighty five cents	291 85
Codyville plantation	One hundred seventy five dollars and twenty six cents	175 26
No. 14 plantation	One hundred thirty dollars and ninety eight cents	130 98
No. 21 do	Ninety six dollars and eighty nine cents	96 89
No. 18, East Division	Thirty two dollars	32 00
No. 19, do	Thirty two dollars	32 00
No. 26, do	Thirty six dollars	36 00
No. 27, do	Forty one dollars and thirty five cents	41 35
No. 18, Middle Division	Twenty four dollars	24 00
No. 19, Mid. Div. S. E. ¼	Four dollars and forty cents	4 40
No. 19, do N. ¼ & S. W. ¼	Twenty five dollars and eighty cents	25 80
No. 24, Middle Division	One hundred ten dollars and twenty cents	110 20
No. 25, do	Fifty dollars	50 00
No. 29, do	One hundred nineteen dollars and two cents	119 02
No. 30, do	One hundred nine dollars and two cents	119 02
No. 31, do	Eighty eight dollars and sixteen cents	88 16
No. 36, do	Two hundred sixty four dollars fifty cents	264 50
No. 37, Middle Division	Seventy six dollars and fourteen cents	76 14
No. 42, do	One hundred forty eight dollars	148 00
No. 43, Mid. Div. E. ¼	Twenty six dollars and forty cents	26 40
No. 43, do W. ¼	Thirty eight dollars and eighty cents	38 80
No. 5, N. Division, N. ¼	Eighteen dollars	18 00
No. 5, do S. ¼	Forty four dollars and eight cents	44 08
No. 6, do	Forty nine dollars and ninety three cents	49 93
E. ½, strip N. of No. 6, North Division	Thirteen dollars and twenty cents	13 20

COUNTY OF WASHINGTON—(CONCLUDED.)

W. $\frac{1}{2}$ strip N. of No. 6,	Eight dollars and forty cents	8 40
North Division.....	Sixteen dollars and forty cents.....	16 40
Two mile strip N of No. 6	Thirty four dollars and twenty eight cents.....	34 28
E. $\frac{1}{2}$, No 1, R. 1.....	Three dollars sixty cents.....	3 60
W. $\frac{1}{2}$, No. 1, R. 1.....	Three hundred fifty seven dollars and twenty four cents	357 24
No. 1, R. 2, No. Division	Sixty five dollars and ninety seven cents	65 97
No. 1, R. 3, do ..	Ninety two dollars and eighty nine cents.....	92 89
No. 6, R. 1, do W. $\frac{1}{2}$	Twenty four dollars.....	24 00
No. 6, R. 1, do E. $\frac{1}{2}$	Sixty dollars.....	60 00
No. 8, R. 3.....	Eighty eight dollars and sixteen cents	88 16
No 10, R. 3.....	One hundred dollars.....	100 00
No. 11, R. 3.....	Thirty two dollars.....	32 00
No. 8, R. 4.....	Fifty dollars	50 00
E. pt. Indian township, strip one mile wide...	Twelve dollars and eighty cents.....	12 80
	Thirty eight thousand nine hundred eighty four dollars and seventy five cents	38,984 75

COUNTY OF YORK.

Acton	One thousand four hundred fifty five dollars and twenty three cents.....	1,455 23
Alfred	One thousand six hundred eighty nine dollars	1,689 00
Berwick.....	Two thousand nine hundred ninety eight dollars and forty two cents.....	2,998 42
Biddeford	Twenty three thousand five hundred thirty nine dollars and twenty one cents	23,539 21
Buxton	Two thousand six hundred seventy four dollars and nine cents	2,674 09
Cornish	One thousand seven hundred sixteen dollars and nineteen cents	1,716 19
Dayton	Nine hundred ninety five dollars and seventy six cents...	995 76
Eliot	One thousand eight hundred fifty two dollars and seventy seven cents.....	1,852 77
Hollis.....	One thousand six hundred seventy nine dollars and thirty six cents.....	1,679 36
Kennebunk.....	Five thousand five hundred ninety dollars and seventy three cents.....	5,590 73
Kennebunkport ..	Three thousand four hundred seventy three dollars and seventy four cents.....	3,473 74
Kittery	Two thousand one hundred forty nine dollars and thirteen cents	2,149 13
Lebanon	One thousand seven hundred four dollars and forty one cents	1,704 41
Limerick.....	One thousand four hundred sixty four dollars and fifty one cents.....	1,464 51
Limington	One thousand six hundred thirty eight dollars and forty four cents.....	1,638 44
Lyman	One thousand four hundred ninety seven dollars and thirty six cents.....	1,497 36
Newfield	One thousand sixty one dollars and fourteen cents	1,061 14
North Berwick...	Two thousand five hundred fifty three dollars and eighty four cents.....	2,553 84
Old Orchard	One thousand five hundred seventy four dollars and five cents.....	1,574 05
Parsonsfield	Two thousand two hundred fifty seven dollars and one cent	2,257 01
Saco.....	Twelve thousand seventy five dollars and sixty seven cts.	12,075 67
Sanford.....	Two thousand six hundred twenty three dollars and twenty cents	2,623 20
Shapleigh	Nine hundred ninety eight dollars and thirty eight cents	998 38

COUNTY OF YORK—(CONCLUDED.)

CHAP. 346

South Berwick...	Three thousand seven hundred fifty eight dollars and forty five cents.....	3,758 45
Waterborough...	One thousand four hundred ninety eight dollars and thirty five cents.....	1,498 35
Wells.....	Two thousand four hundred and fifty nine dollars.....	2,459 00
York.....	Two thousand eight hundred seventy three dollars and forty four cents.....	2,873 44
	Eighty nine thousand eight hundred fifty dollars and eighty eight cents.....	89,850 88

RECAPITULATION.

COUNTIES.	AMOUNT.	DOLLS. CTS.
Androsoggin..	Eighty three thousand two hundred eleven dollars and one cent.....	83,211 01
Aroostook.....	Thirty thousand three hundred thirty seven dollars and seven cents.....	30,337 07
Cumberland...	Two hundred six thousand three hundred thirty seven dollars and forty three cents.....	206,337 43
Franklin.....	Twenty four thousand seven hundred forty dollars and seventy five cents.....	24,740 75
Hancock.....	Thirty three thousand one hundred ninety five dollars and forty six cents.....	33,195 46
Kennebec.....	Ninety three thousand three hundred one dollars and eighteen cents.....	93,301 18
Knox.....	Forty three thousand six hundred five dollars and eighty one cents.....	43,605 81
Lincoln.....	Twenty six thousand six hundred six dollars and twenty seven cents.....	26,606 27
Oxford.....	Forty thousand three hundred twenty two dollars and thirty one cents.....	40,322 81
Penobscot.....	Eighty five thousand six hundred sixty two dollars and sixty seven cents.....	85,662 67
Piscataquis...	Twenty one thousand thirty five dollars and twenty cents.....	21,035 20
Sagadahoc.....	Forty one thousand two hundred forty dollars and sixty eight cents.....	41,240 68
Somerset.....	Forty eight thousand six hundred two dollars and forty nine cents.....	48,602 49
Waldo.....	Thirty eight thousand three hundred ninety six dollars and ninety six cents.....	38,396 96
Washington...	Thirty eight thousand nine hundred eighty four dollars and seventy five cents.....	38,984 75
York.....	Eighty nine thousand eight hundred fifty dollars and eighty eight cents.....	89,850 88
	Nine hundred forty five thousand four hundred thirty dollars and ninety two cents.....	945,430 92

CHAP. 347

Warrant and tax
act to be sent to
towns.

SECT. 2. The treasurer of this state shall, in the month of April, in the year of our Lord one thousand eight hundred and eighty-four, send his warrant, with a copy of this tax act, directed to the mayor and aldermen, selectmen or assessors of each city, town or plantation, taxed as aforesaid, requiring them, respectively, to assess, in dollars and cents, the sums so charged, according to the provisions of the law for the assessment of taxes, and to add the amount of such tax to the amount of county and town taxes to be by them assessed in each city, town, plantation or other place, respectively.

Warrant of treas-
urer, require-
ments.

SECT. 3. The treasurer, in his said warrant, shall require the said mayor and aldermen, selectmen or assessors, respectively, to pay or to issue their several warrant or warrants requiring the collectors of their several cities, towns and plantations, to pay the said treasurer on or before the first day of January, one thousand eight hundred and eighty-five, the sums against said cities, towns and plantations, respectively, in this act contained, and said mayor, selectmen and assessors, respectively, shall return a certificate of the names of such collectors, with the sums which each may be required to collect, to said treasurer, some time before the first day of December, in the year of our Lord one thousand eight hundred and eighty-four.

Towns to return
names of col-
lectors.

Proceedings in
case of delin-
quent collectors.

SECT. 4. Whenever, for the period of sixty days after the time fixed for the payment of this tax, there shall be any delinquency to pay the same on the part of the collector of any city, town or plantation, it shall be the duty of the treasurer of the state to issue his warrant for enforcing the collection of the same against such collector. The warrant shall be directed to the sheriff, or his deputies, of the appropriate county, and made in accordance with the laws already existing on that subject, except that it shall be returned in ninety days from its date, and in addition to the tax itself, it shall require the officer to collect interest thereon at the rate of six per centum yearly, from the day when the tax became payable, with fifty cents more for the warrant and lawful fees of such sheriff or deputies arising thereon.

Warrant, how
directed.

Interest and
cost, how paid.

Delinquent towns
precluded from
drawing school
funds.

SECT. 5. When any state tax assessed upon any city or town remains unpaid, such city or town is precluded from drawing from the state treasury the school funds set apart from such city or town, so long as such tax remains unpaid.

SECT. 6. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 348.**CHAP. 348**

An Act to authorize the Municipal officers of the town of Weld to assess a tax upon school district number five, in said town.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The municipal officers of the town of Weld, are hereby authorized to assess upon the polls and estates of the residents and owners in school district number five, in said town, and collect the sum of two hundred and seventy-seven dollars and sixty-five cents, to reimburse said town for money, being said sum paid out by said town in making repairs upon the school house in said district, the assessment made for that purpose in eighteen hundred and eighty-one being invalid.

Assessment of tax on school district No. 5, town of Weld, authorized.

SECT. 2. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 349.

An Act to amend "An Act to incorporate the Maine Electric Light and Power Company," approved February seventeen, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

"An Act to incorporate the Maine Electric Light and Power Company," approved February seventeen, eighteen hundred and eighty-three, is hereby amended by striking out of the sixteenth line of the third section, the word "bridges," and by striking out of the seventeenth line in the same section, the words, "and buildings," so that said section, as amended, shall read as follows :

Charter amended.

SECT. 3. Said company is authorized and empowered for the purpose of carrying on the business of lighting, by electricity, cities, towns, villages, public streets, parks, buildings and places, private houses, manufactories, places and buildings, places of business, worship and amusement, within this state ; and the business of furnishing motive power, by electricity, within said places and limits ; and the business of manufacturing and providing machinery, apparatus and appurtenances for the supply of said light and said power, to acquire, hold and alienate real and personal estate to the

Company authorized to hold real estate.

CHAP. 350

To build manu-
factories, etc.

—to lay lines of
wire etc.

—to confer power
upon licensees.

amount of one million dollars; to build and operate manu-
factories and works for the providing and supply of electricity;
to construct, lay, maintain and operate lines of wire or other
material for the transmission of electricity, submarine, under
ground, upon, under and along and over any and all streets,
ways and public places in such manner as not to endanger the
appropriate public use thereof, railroads, canals and lands of
any individuals, society or corporation, with all necessary
posts, pipes, supports and appurtenances, and terminating at
such points as may be expedient; and to confer this power
upon licensees of said company, who shall be deemed agents
of said company for said purposes, but said company shall
not be liable for the torts or negligence of such licensees, nor
upon contracts made by them, except as mutually agreed by
said company and its licensees.'

Approved March 14, 1883.

Chapter 350.

An Act to enable the Winslow Packing Company to issue bonds and preferred stock.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

Winslow Packing
Co. authorized to
issue bonds.

SECT. 1. The Winslow Packing Company, a corporation
organized under the laws of the state, is hereby authorized
to make and issue its bonds in such form and manner, and
payable at such times as the directors may deem advisable,
and it may, by a vote of its directors, secure the principal
and interest of said bonds by a mortgage or trust deed of its
property, rights, privileges and franchises, then possessed or
owned, or thereafter acquired by said corporation, made to
such persons or trustees, and in such form and manner as its
directors may approve and prescribe.

May issue stock.

SECT. 2. Said corporation is hereby authorized to issue
preferred stock, not exceeding in all, one-half the amount of
capital stock authorized by the certificate of incorporation,
filed with the secretary of state.

SECT. 3. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 351.

CHAP. 351

An Act to amend "An Act to incorporate the Peoples' Electric Light and Power Company of Maine," approved March nine, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

"An act to incorporate the Peoples' Electric Light and Power Company of Maine," approved March nine, eighteen hundred and eighty-three, is amended in the third section by striking out the word "bridges" and the words "and buildings" in the seventeenth line of said section, so that said section as amended, shall read as follows :

'SECT. 3. Said company is authorized and empowered for the purpose of carrying on the business of lighting, by electricity, cities, towns, villages, public streets, parks, buildings and places, private houses, manufactories, places and buildings, places of business, worship and amusement, cars, steamboats and vessels, within this state ; and the business of furnishing motive power, by electricity, within said places and limits ; and the business of manufacturing and providing machinery, apparatus and appurtenances for the supply of said light and said power, to acquire, hold and alienate real and personal estate to the amount of one million dollars ; to build and operate manufactories and works for the providing and supply of electricity ; to construct, lay, maintain and operate lines of wire or other material for the transmission of electricity, submarine, underground, upon, under and along and over any and all streets, ways and public places, in such manner as not to endanger the appropriate public use thereof, railroads, canals and lands of any individuals, society or corporation, with all necessary posts, pipes, supports and appurtenances, and terminating at such points as may be expedient ; and to confer this power upon licensees of said company, who shall be deemed agents of said company for said purposes, but said company shall not be liable for the torts or negligence of such licensees, nor upon contracts made by them, except as mutually agreed by said company and its licensees.'

Charter amended.

Company authorized to hold real estate.

—to build manufactories, etc.

—to lay lines of wire, etc.

—to confer power on licensees.

Approved March 14, 1883.

CHAP. 352

Chapter 352.

An Act to empower the towns of Boothbay and Southport to take stock in the Boothbay and Southport Bridge Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Towns of Boothbay and Southport, authorized to take stock in bridge company.

SECT. 1. The towns of Boothbay and Southport, in the county of Lincoln, or either of them, are hereby empowered to take stock in the Boothbay and Southport Bridge Company to the amount of one thousand dollars each; *provided*, the inhabitants of the said town or towns shall, by a majority vote of those present at a legal meeting called for the purpose, authorize the same.

SECT. 2. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 353.

An Act to incorporate the Quaker Brook Trout Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Corporators.

SECT. 1. Charles H. Thorn, Almon A. Strout, Henry H. McDuffie, Sewall C. Strout and Frederick C. Bridgham, their associates, successors and assigns, are hereby created and constituted a body politic and corporate, by the name of the Quaker Brook Trout Company, with all the powers and privileges, and subject to the duties and liabilities contained in the laws of this state, relating to similar corporations.

Corporate name.

Corporation to propagate trout in Quaker brook.

SECT. 2. Said corporation is authorized to engage in the business of raising and propagation of trout in the water of Quaker Brook, so called, and all its tributaries, within the town of Baldwin, in the county of Cumberland, and may use the waters of said brook and all its tributaries, and construct, repair and maintain upon its own lands, and upon the lands of the riparian proprietors of said brook and its tributaries, with their consent, all buildings, dams, and other erections and appliances necessary and proper for the carrying on of said business. And said corporation, its agents and servants, shall have the exclusive right to take trout from the waters of said brook and its tributaries, with the consent of riparian

—to have exclusive right to take trout.

proprietors, within said town of Baldwin, for ten years from **CHAP. 354**
the date of the first meeting of said corporation.

SECT. 3. The said corporation shall have power to hold real and personal estate to an amount not exceeding, at any one time, the sum of five thousand dollars, with power to use, manage and dispose of the same, for the purposes authorized by this act.

Authorized to hold real and personal estate.—limit.

SECT. 4. Any person not authorized by this act, or by said corporation, who shall, at any time, take trout from the waters of said brook and its tributaries, within said town of Baldwin, within ten years from the date of first meeting of said corporation, shall be liable to all the penalties prescribed by the statutes of this state, for taking trout in close time.

Liability for infringement of exclusive right.

SECT. 5. The first meeting of said corporation may be called by any person named in this act, by giving to each of the others a written notice of the same, seven days before such meeting, or by a public notice thereof, setting forth the time, place and purpose of the meeting, published in any newspaper in the city of Portland, ten days, at least, previous to the time of such meeting.

First meeting, how called.

SECT. 6. This act shall take effect when approved.

Approved March 14, 1883.

Chapter 354.

An Act to incorporate the Eastern Electric Light and Power Company.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. A. F. Crockett, Davis Tillson, John T. Berry, John S. Case, David N. Mortland, Albert S. Rice, A. K. Spear, Maynard Sumner, George Gregory, all of Rockland ; and J. H. H. Hewitt, Samuel Watts, Christopher Prince, Joseph E. Moore, John C. Levensaler, E. K. O'Brien, and R. H. Counce, all of Thomaston ; their associates, successors and assigns are hereby constituted a body politic and corporate by the name of the Eastern Electric Light and Power Company, and by that name, shall have and enjoy all rights, powers and privileges necessary to effect the objects of their association, and shall be entitled to all the rights and subject

Corporators.

Corporate name
Rights, powers
and privileges.

CHAP. 354 to all the duties and liabilities now or hereafter provided by the laws of this state as to corporations, so far as applicable, and subject to the provisions of this act.

Capital stock.

SECT. 2. The capital stock of said company shall be of such amount and divided into the number of shares, as the incorporators in the first instance and the stockholders, from time to time, may determine to be necessary for the purpose of the business authorized by this act, but not to exceed one million dollars; and said corporation may purchase, hold and dispose of such personal and real estate as may be necessary for such purpose.

May hold real and personal estate.

Authorized to light cities, etc., by electricity.

SECT. 3. Said company is authorized and empowered for the purpose of carrying on the business of lighting, by electricity, cities, towns, villages, public streets, parks, buildings and places, private houses, manufactories, places and buildings, places of business, worship and amusement, within this state; and the business of furnishing motive power by electricity, within said places and limits; and the business of manufacturing and providing machinery, apparatus and appurtenances for the supply of said light and said power, to acquire, hold and alienate real and personal estate to the amount of one million dollars; to build and operate manufactories and works for the providing and supply of electricity; to construct, lay, maintain and operate lines or other material for the transmission of electricity submarine, under ground, upon, under and along and over any and all streets, ways and public places in such manner as not to endanger the appropriate public use thereof, railroads, canals and lands of any individuals, society or corporation, with all necessary posts, pipes, supports and appurtenances, and terminating at such points as may be expedient; and to confer this power upon licensees of said company, who shall be deemed agents of said company for said purposes, but said company shall not be liable for the torts or negligence of such licensees, nor upon contracts made by them, except as mutually agreed by said company and its licensees.

—may furnish motive power, etc.

—to build manufactories.

—to lay lines of wires, etc.

May confer power on licensees.

Consent of municipal officers necessary to laying pipes, etc.

SECT. 4. For the erecting said wires above ground, and for the laying the same, or pipes therefor submarine or under ground, and for taking up, replacing and repairing the same, said company or its licensees in any city or town shall first obtain the consent of the municipal officers thereof, and per-

form said acts as directed by them ; and said company or its licensees in any city or town shall repay to any city or town any sum of money which such city or town may have been compelled to pay on any judgment for any damage occasioned by the aforesaid doings of said company or its licensees through defect or want of repair in the streets thereof.

CHAP. 355

Damage to streets, how paid.

SECT. 5. Said company or its licensees in any city or town shall, at their own expense, without unnecessary delay, remove any obstructions in any street, made for erecting or laying the lines for such purposes, and cause earth or pavements disturbed to be properly replaced. They shall not be allowed to obstruct or impair the use of any public or private drain, pipe or sewer, but may cross, or, when necessary, change the direction of any private pipe, drain or sewer in such manner as not to obstruct or impair the use thereof, being responsible to the owner or other person for any injury or loss thereby, in an action on the case.

Company not to obstruct streets, drains or sewers.

SECT. 6. Damages for any land taken for the purposes of erecting or laying said lines, if the parties cannot agree, shall be estimated, secured and paid as in the case of lands taken for railroads.

Land damages, how estimated and paid.

SECT. 7. The first meeting of said company may be called by any incorporator giving five days' written notice, by mail, to all the stockholders, stating the time and place thereof, or by publication of such notice at least three times in a weekly newspaper, published in Rockland, Maine, five days before the time of said meeting.

First meeting, how called.

Approved March 14, 1883.

Chapter 355.

An Act additional to "An Act to supply the cities of Lewiston and Auburn with pure water."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The board of water commissioners of the city of Lewiston shall, annually, in the month of March, elect by ballot a superintendent and clerk, whose salaries shall be fixed

Election of supt. and clerk of water board in city of Lewiston.

CHAP. 356 by said commissioners, and whose duties shall be such as they may prescribe.

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 356.

An Act to authorize the construction of a bridge over tide waters, between Orr's Island and Bailey's Island.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Authority
granted to build
bridge from Orr's,
to Bailey's island.

SECT. 1. Authority is hereby given to lay out, construct and maintain a bridge, with a draw, suited to the purposes of navigation, across and over the tide waters separating Orr's island from Bailey's island, in the town of Harpswell.

Powers of town
of Harpswell,
concerning.

SECT. 2. The town of Harpswell shall have all the powers relating to said bridge and its construction, which are provided by law in case of town ways.

SECT. 3. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 357.

An Act to legalize the annual town meeting held in Whitefield in the county of Lincoln, on the twelfth day of March, eighteen hundred and eighty-three.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Doings of town of
Whitefield,
legalized.

SECT. 1. The proceedings of the officers of the town of Whitefield, in calling, and the doings of said town at the annual town meeting of said town, held on the twelfth day of March, eighteen hundred and eighty-three, are hereby confirmed and made legal and valid.

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 358.**CHAP. 358**

An Act to amend "An Act to incorporate the Moosehead Lake Telegraph Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. Said corporation shall have the right to locate, construct, maintain and operate lines of telegraph, with as many wires and branches as they may see fit, upon and along any highway or bridge, or upon and along any railroad or across the lands of individuals and corporations, but in such manner as not to incommode or endanger the customary public use thereof, between the eastern and western boundaries of this state, commencing and terminating at such point or points as they may select hereafter, within the limits aforesaid.

Corporation
authorised to
construct, etc.,
lines of telegraph.

Limits.

SECT. 2. All parts of the act of incorporation of the Moosehead Lake Telegraph Company, inconsistent with the foregoing, are hereby repealed.

Inconsistent acts
repealed.

SECT. 3. This act shall take effect when approved.

Approved March 16, 1883.

Chapter 359.

An Act to legalize the doings of the town of Windsor.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

SECT. 1. The acts and doings of the town of Windsor, at a meeting of the inhabitants thereof, held March twelve, in the year of our Lord one thousand eight hundred and eighty-three, are hereby ratified, confirmed and made valid.

Doings of the
town of Windsor
made valid.

SECT. 2. This act shall take effect when approved.

Approved March 16, 1883.

CHAP. 360**Chapter 360.**

An Act relating to powers of the town of Brunswick.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Rate of interest
on bonds fixed.

SECT. 1. Bonds to be issued by the town of Brunswick, under authority already granted, shall bear interest not exceeding six per cent a year.

SECT. 2. Said town may erect any building which it is now authorized to construct, on any land of the town.

Approved March 15, 1883.

Chapter 361.

An Act to provide in part for the expenditures of government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Act of appropriation.

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year of eighteen hundred and eighty-three, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized at any time prior to the first day of January next, to draw his warrant on the treasurer for the same :

Houlton and Baring road, two hundred dollars..	\$200 00
Maine General Hospital, five thousand dollars...	5,000 00
Lewy Mitchell, one hundred dollars	100 00
Lola Coly, one hundred dollars	100 00
Passamaquoddy Indians, two thousand dollars...	2,000 00
Expenses of attorney general's department, five hundred dollars.....	500 00
John M. Thurlough, two hundred eighty-five dollars and fifty-three cents	285 53
Insane state beneficiaries, seventeen hundred ninety-six dollars and seventy-five cents, deficiency for eighteen hundred and eighty-two..	1,796 75

Books ordered by the legislature, three hundred fifteen dollars.....	\$315 00
Trustees of normal schools, six hundred dollars..	600 00
Normal schools, deficiency eighteen hundred and eighty-one and eighteen hundred and eighty-two, twenty-five hundred sixty-five dollars and eighty-eight cents.....	2,565 88
Salaries subordinate officers state prison, seven thousand seven hundred dollars.....	7,700 00
Printing revision of statutes, three thousand dollars.....	3,000 00
Night watch, fifteen hundred dollars.....	1,500 00
Fuel and lights, two thousand dollars.....	2,000 00
Furniture and repairs, three thousand dollars....	3,000 00
Fireman and mail carrier.....	1,500 00
Commissioners to investigate the reform school, five hundred fifty dollars and sixty-one cents..	550 61
G. W. McAllister, committee on state prison, one hundred twenty-four dollars and ninety cents..	124 90
Elisha E. Parkhurst, agricultural committee, sixty-four dollars and fifty cents.....	64 50
George E. Weeks, committee on agricultural college, fifty-eight dollars and forty cents.....	58 40
Francis E. Heath, committee on military affairs, thirty dollars and forty-five cents.....	30 45
Teachers' meetings, six hundred dollars	600 00
Aurin L. Dresser and Co., two thousand four hundred sixty-three dollars and twenty cents..	2,463 20
Saint Elizabeth orphan asylum, four hundred dollars	400 00
Mattamiscontis on equalization of war debts, thirty-three dollars and thirty-three cents	33 33
Industrial statistics, one thousand dollars.....	1,000 00
Passamaquoddy Indians, five thousand six hundred and ninety dollars.....	5,690 00
Bridge across Macwahoc stream, six hundred dollars	600 00
Agricultural college, sixty-five hundred dollars..	6,500 00
Interest on public debt, fifty thousand dollars...	50,000 00
Children's home, Bangor, one thousand dollars..	1,000 00
Charles W. Goddard, five thousand dollars	5,000 00

<u>CHAP. 361</u>	Presque Isle academy, three thousand dollars . . .	\$3,000 00
	F. A. Robinson, committee on education, eighty-four dollars and twenty-six cents	84 26
	Female orphan asylum, Portland, five hundred dollars	500 00
	Maine state library, five hundred dollars	500 00
	Penobscot Indians, eight thousand seven hundred nine dollars and seventy cents	8,709 70
	Training schools, thirteen hundred dollars	1,300 00
	Expenses of schools in Madawaska, seven hundred dollars	700 00
	Agricultural societies, deficiency, four hundred dollars	400 00
	Repairs on normal school buildings, twenty-five hundred dollars	2,500 00
	Lee normal academy, six hundred dollars	600 00
	Propagation and protection of fish and game, seven thousand five hundred dollars	7,500 00
	Oramandal Smith, clerk of the house of representatives, publishing journal of the house, two hundred and fifty dollars	250 00
	Charles W. Tilden, secretary of the senate, publishing journal of the senate, two hundred and fifty dollars	250 00
	Maine reports, volume fifty-seven, fifty-eight, fifty-nine and sixty, eight hundred dollars	800 00
	Clerks of committee on revision of statutes, five hundred thirty-two dollars	532 00
	John C. Talbot, eighty-one dollars	81 00
	Bath military asylum, seven thousand dollars	7,000 00
	Sprague and Son, six hundred seventy-three dollars and fifty cents	673 50
	Bridge across Wytopotlock stream, four hundred dollars	400 00
	Town of Kingsbury, six hundred dollars	600 00
	Salary of bank examiner, eighteen hundred dollars	1,800 00
	Salary of clerk in office of superintendent of schools, two hundred dollars	200 00
	Pay roll of house of representatives, twenty-eight thousand three hundred fifty-nine dollars	28,359 00

Pay roll of senate, seven thousand five hundred eighty dollars	\$7,580 00
Reform school, twenty-five hundred dollars.....	2,500 00
Secretary of the senate, for papers and advertising, seven hundred twenty-eight dollars and thirty-six cents.....	728 36
Reform school, sixteen thousand dollars.....	16,000 00
Bath military and naval asylum, twelve hundred dollars .:	1,200 00
Publishing registry of deeds, York county, one thousand dollars.....	1,000 00
Juliet Newell, one hundred sixty-five dollars....	165 00
Town of Mayfield, three hundred dollars.....	300 00
Repairs on state house, three thousand dollars...	3,000 00
Expenses secretary board of agriculture, two hundred dollars.....	200 00
Clerk to secretary board of agriculture, two hundred dollars.....	200 00
Bridge in Madawaska, two hundred fifty dollars.	250 00
Maine industrial school for girls, four thousand dollars	4,000 00
State prison, twenty-three thousand six hundred fifty dollars	23,650 00
Commissioners on contagious diseases of cattle, thirty-six dollars and fifty-nine cents.....	36 59
Printing, four thousand dollars.....	4,000 00
E. T. Stearns, committee on reform school, fifty-three dollars	53 00
Maine state year book, four hundred fifty dollars	450 00
Insane hospital, three thousand six hundred eighty dollars	3,680 00
Owners of township number seven, range eleven, Piscataquis county, thirty-three dollars and eighty-five cents.....	33 85
Owners of N. half and S. half, township number two, north division, Penobscot county, one hundred forty-five dollars and ninety-three cents..	145 93
Eben Trafton, one hundred twenty-five dollars and four cents.....	125 04
Town of Harpswell, thirty-one dollars and forty cents.....	31 40

CHAP. 362	Maine insane hospital, forty thousand dollars . . .	\$40,000 00
	New Canada plantation, fifty-eight dollars	58 00

Amounting to the sum of two hundred eighty-two
thousand four hundred five dollars and eighteen
cents \$282,405 18

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

Chapter 362.

An Act to provide in part for the expenditures of Government for the year one thousand eight hundred and eighty-four.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Act of appropriation
for 1884.

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the year one thousand eight hundred and eighty-four, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized at any time between the first day of January, eighteen hundred and eighty-four, and the first day of January, eighteen hundred and eighty-five, to draw his warrant on the treasury for the same :

Public debt, fifty-one thousand dollars	\$51,000 00
Interest on public debt, three hundred twenty-five thousand dollars	325,000 00
Sinking fund, eighty thousand four hundred sev- enty-nine dollars and ninety-five cents	80,479 95
School fund and mill tax due in eighteen hundred and eighty-four, three hundred and fifteen thousand dollars	315,000 00
Due on school funds and mill taxes, previous to eighteen hundred and eighty-four, thirty-five thousand dollars	35,000 00
Normal schools, nineteen thousand dollars	19,000 00
Free high schools, twenty-six thousand dollars . .	26,000 00

Training schools, thirteen hundred dollars.....	\$1,300 00	<u>CHAP. 362</u>
Teachers' meetings, six hundred dollars.....	600 00	
Madawaska school fund, three hundred dollars...	300 00	
Expenses of superintendent of common schools four hundred dollars.....	400 00	
Houlton academy, one hundred twenty dollars...	120 00	
Hebron academy, sixty dollars.....	60 00	
Foxcroft academy, sixty dollars.....	60 00	
Maine Central institute, six hundred dollars.....	600 00	
Oak Grove seminary, three hundred dollars.....	300 00	
Salaries of public officers, sixty thousand dollars	60,000 00	
Salary of pension clerk, one thousand dollars...	1,000 00	
Salary of land agent, eight hundred dollars.....	800 00	
Salary of fish commissioner, one thousand dollars	1,000 00	
Salary of clerks in secretary of state's office, eighteen hundred dollars.....	1,800 00	
Salary of clerks in state treasurer's office, twenty- two hundred dollars.....	2,200 00	
Salary of clerk in adjutant general's office, five hundred dollars.....	500 00	
Salary of clerk in office of superintendent of com- mon schools, five hundred dollars.....	500 00	
Salary of messenger to governor and council, five hundred dollars.....	500 00	
Insane state beneficiaries, forty-four thousand dollars.....	44,000 00	
Trustees insane hospital, one thousand dollars...	1,000 00	
Visiting committee to insane hospital, three hun- dred and fifty dollars.....	350 00	
Sanford legacy, forty-two dollars.....	42 00	
Support of paupers in unincorporated places, six thousand dollars.....	6,000 00	
Deaf, dumb and blind, fourteen thousand dollars	14,000 00	
Idiotic and feeble minded persons, one thousand dollars.....	1,000 00	
Reports of judicial decisions, forty-eight hundred dollars.....	4,800 00	
Costs in criminal prosecutions, fifteen hundred dollars.....	1,500 00	
Sheriffs and coroners, five hundred dollars.....	500 00	
Subordinate officers of state prison, seven thou- sand seven hundred dollars.....	7,700 00	

<u>CHAP. 362</u> Inspectors of state prison and jails, one thousand dollars	\$1,000 00
Penobscot Indians, eight thousand seven hundred nine dollars and ninety cents	8,709 90
Passamaquoddy Indians, five thousand six hundred and ninety dollars	5,690 00
Military purposes, sixteen thousand dollars.....	16,000 00
Soldiers' pensions, twenty thousand dollars.....	20,000 00
Military pensions, two thousand dollars	2,000 00
Pay roll of council, four thousand dollars... ..	4,000 00
Library, one thousand dollars.....	1,000 00
Transportation of documents, five hundred dollars	500 00
Contingent fund of governor and council, five thousand dollars.....	5,000 00
Contingent fund of treasurer of state, five hundred dollars.....	500 00
Fuel and lights, two thousand dollars.....	2,000 00
Night watch, fifteen hundred dollars.....	1,500 00
Furniture and repairs, three thousand dollars....	3,000 00
Fireman and mail carrier, fifteen hundred dollars	1,500 00
Railroad and telegraph tax due towns, twenty-eight thousand dollars	28,000 00
County taxes collected in eighteen hundred and eighty-three, twelve thousand dollars.....	12,000 00
Agricultural societies, fifty-five hundred dollars..	5,500 00
Farmers' institutes, fourteen hundred dollars....	1,400 00
Board of agriculture, five hundred dollars.....	500 00
Secretary of board of agriculture, six hundred dollars	600 00
Clerk to secretary of board of agriculture, two hundred dollars.....	200 00
Expenses secretary board of agriculture, two hundred dollars.....	200 00
Trustees normal schools, six hundred dollars....	600 00
Agricultural college, sixty-five hundred dollars..	6,500 00
Assistant clerk in library, three hundred and fifty dollars	350 00
Houlton and Baring road, two hundred dollars..	200 00
Maine general hospital, five thousand dollars....	5,000 00
Industrial statistics, one thousand dollars.....	1,000 00
Saint Elizabeth orphan asylum, Portland, four hundred dollars.....	400 00

Female orphan asylum, Portland, five hundred dollars	\$500 00
Children's home, Bangor, one thousand dollars..	1,000 00
Maine industrial school for girls, four thousand..	4,000 00
Printing, fifteen thousand dollars.....	15,000 00
Binding and stitching, five thousand dollars.....	5,000 00
Maine state year book, nine hundred dollars....	900 00
Inspectors of steamboats, eight hundred dollars..	800 00
Lands reserved for public uses, fifteen hundred dollars	1,500 00
Interest on lands reserved for public uses, two thousand dollars.....	2,000 00
Forfeited lands, five hundred dollars.....	500 00
Indices, one hundred and fifty dollars.....	150 00
Journal of council, one hundred and fifty dollars	150 00
Bounty on animals, fifteen hundred dollars.....	1,500 00
Expenses of attorney general's department, five hundred dollars.....	500 00
Expenses of schools in Madawaska, seven hundred dollars.....	700 00
Penobscot Indians, shore rents, twenty-two hundred dollars.....	2,200 00
Repairs on normal school buildings, twenty-five hundred dollars.....	2,500 00
Lee normal academy, six hundred dollars.....	600 00
Propagation and protection of fish and game, seven thousand five hundred dollars.....	7,500 00
Bath military asylum, seven thousand dollars....	7,000 00
Salary of clerk in superintendent of school's office, two hundred dollars	200 00
Salary of bank examiner, eighteen hundred dollars	1,800 00
Reform school, twenty-five hundred dollars	2,500 00
Reform school, thirteen thousand dollars	13,000 00
State prison, ten thousand dollars	10,000 00

Amounting to eleven hundred thirty-eight thousand seven hundred sixty-one dollars and eighty-five cents.....\$1,138,761 85

SECT. 2. This act shall take effect when approved.

Approved March 15, 1883.

Private and Special Laws

ENACTED AT

Adjourned Session, August 29, 1883.

Chapter 363.

An Act to provide in part for the expenditures of Government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year of eighteen hundred and eighty-three, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized, at any time prior to the first day of January next, to draw his warrant on the treasurer for the same:

Act of appropriation for 1883.

Revision of the statutes, ten thousand five hundred dollars.....	\$10,500 00
State inspector of fertilizers, four hundred dollars	400 00
Road in Indian township leading from the Houlton and Baring road to the Grand Lake stream, one hundred and fifty dollars	150 00
Pay roll of legislative officers—adjourned session, three hundred dollars.....	300 00
Advertising laws, four hundred dollars.....	400 00
State pauper fund, one thousand dollars.....	1,000 00

Amounting to the sum of twelve thousand seven hundred and fifty dollars..... 12,750 00

SECT. 2. This act shall take effect when approved.

Approved August 29, 1883.

Chapter 364.

An Act to provide in part for the expenditures of Government.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Act of appropriation for 1884.

SECT. 1. In order to provide for the several acts and resolves of the legislature, requiring the payment of money from the treasury, and also to provide for the necessary expenditures of government for the current fiscal year of eighteen hundred and eighty-four, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized, at any time prior to the first day of January, eighteen hundred and eighty-five, to draw his warrant on the treasurer for the same :

Revision and publication of revised statutes, twelve thousand dollars.....	\$12,000 00
Road in Indian township leading from the Houlton and Baring road to the Grand Lake stream, one hundred and fifty dollars	150 00
Number eleven, range one, Aroostook county, for school fund and mill tax of eighteen hundred and eighty-three, payable January one, eighteen hundred and eighty-four, two hundred seventy dollars and forty-two cents.....	270 42

Amounting to the sum of twelve thousand four hundred twenty dollars and forty-two cents... 12,420 42

SECT. 2. This act shall take effect when approved.

Approved August 29, 1883.

Chapter 365.

An Act to amend chapter one hundred and eighty of the Private and Special Laws of eighteen hundred and eighty-three, entitled "An act to amend chapter one hundred and twenty-four of the Private and Special Laws of the year eighteen hundred and eighty-one, entitled "An act to incorporate the Biddeford and Saco Water Company."

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows :

Ch. 180 Special Laws of 1883 amended.

SECT. 1. Chapter one hundred and eighty of the private and special laws of eighteen hundred and eighty-three, is

hereby amended, by adding after the words, "with pure water," at the end of section one of said act, the words, 'for domestic and municipal purposes, including the extinguishment of fires, the supply of shipping, and the use of manufacturing establishments,' so that said section, when amended, will read as follows :

'SECT. 1. Chapter one hundred and twenty-four of the private and special laws of eighteen hundred and eighty-one, is hereby amended, by striking out all of said chapter after the word "company," in the eighth line, and inserting instead thereof the following : 'for the purpose of conveying to and supplying the towns of Lyman, Dayton and Scarboro', and the cities of Biddeford and Saco, with pure water for domestic and municipal purposes, including the extinguishment of fires, the supply of shipping, and the use of manufacturing establishments.'

Purposes.

SECT. 2. This act shall take effect when approved.

Approved August 29, 1883.

10

11

12

RESOLVES

OF THE

STATE OF MAINE.

1883.

RESOLVES
OF THE
STATE OF MAINE.

1883.

Chapter 67.

Resolves relating to proposed change of Lights on the coast of Maine.

Resolved, That the legislature of Maine respectfully and earnestly remonstrates against any change in the two lights at Cape Elizabeth, and the two lights at Matinicus Rock, believing that the proposed changes therein by the Light-House Board will endanger life and be disastrous to the shipping interests of this state, and to the foreign commerce seeking our shores.

Remonstrance
against change in
lights at Cape
Elizabeth and
Matinicus Rock.

Resolved, That a copy of these resolutions be forwarded by the Secretary of State to each member of congress from this state, and that they be requested to use their influence to keep these long-established head-land lights as they now are kept and maintained.

Approved January 16, 1883.

Chapter 68.

Resolve making an appropriation in favor of the Maine General Hospital for the years eighteen hundred and eighty-three and eighteen hundred and eighty four.

Resolved, That the sum of ten thousand dollars be and hereby is appropriated towards defraying the expenses of the

Maine General
Hospital, in favor
of.

CHAP. 69

Maine General Hospital for the year ending December thirty-one, eighteen hundred and eighty-three, and the year ending December thirty-one, eighteen hundred and eighty-four; and that the governor be and hereby is authorized to draw his warrant quarterly, commencing March thirty-one, eighteen hundred and eighty-three, for the sum of twelve hundred and fifty dollars, for the above purpose.

Approved February 8, 1883.

Chapter 69.

Resolve in favor of Lewy Mitchell, representative of the Passamaquoddy tribe of Indians.

Lewy Mitchell,
in favor of.

Resolved, That there be paid from the state treasury, one hundred dollars to Lewy Mitchell for travel and attendance before the legislature as representative of the Passamaquoddy tribe of Indians.

Approved February 8, 1883.

Chapter 70.

Resolve in favor of an appropriation for roads in Indian Township, County of Washington.

Roads in Wash-
ington county, in
favor of.

Resolved, That the sum of two hundred dollars be and is hereby appropriated yearly, for the years eighteen hundred and eighty-three and eighty-four, on the Houlton and Baring road, across the Indian township in the county of Washington. Also one hundred and fifty dollars for each of said years to be expended on the road leading from said Houlton and Baring road in said township to the Grand Lake Stream, all of which is to be expended by the county commissioners of Washington county.

Approved February 9, 1883.

Chapter 71.**CHAP. 71**

Resolve in favor of John M. Thurlough.

Resolved, That the sum of two hundred and twenty-five dollars, collected by the land agent August nineteen, eighteen hundred and seventy-eight, for trespass committed on lot number one hundred and fourteen in township F, range One, Aroostook county, and interest from said date, be appropriated and paid to John M. Thurlough, said lot having been certificated to said Thurlough, October twenty-four, eighteen hundred and seventy-six, and conveyed to him by the state, November fifteen, eighteen hundred and seventy-eight, said Thurlough being now the actual owner of said lot.

John M. Thurlough, in favor of.

Approved February 13, 1883.

Chapter 72.

Resolve in favor of Lola Coly, representative of the Penobscot tribe of Indians.

Resolved, That there be paid from the state treasury, one hundred dollars to Lola Coly for attendance and travel before the legislature as representative of the Penobscot tribe of Indians.

Lola Coly, in favor of.

Approved February 14, 1883.

Chapter 73.

Resolves in favor of the Passamaquoddy Tribe of Indians.

Resolved, That the sum of two thousand dollars be and is hereby appropriated for the benefit of the Passamaquoddy tribe of Indians, to be expended by and under the advice and direction of the governor and council in whole or in part as they shall direct, if deemed expedient by them so to do, and for the following purposes:—For the purchase of a tract of land adjoining the reservation of the Passamaquoddy Indians at Pleasant Point; for repairing school house; for repairing churches at Pleasant Point and Peter Dana's Point; for bell for religious and school purposes.

Passamaquoddy Indians, in favor of.

CHAP. 73

Resolved, That in event of the purchase of any land, by the governor and council, under and in accordance with the preceding resolve, then it shall be the duty of the governor and council to cause said land, so purchased, to be surveyed and lotted, and to cause a plan and description of said survey to be filed in the office of the land agent of the state.

Resolved, That such lots, so purchased, surveyed and lotted, shall be offered by the governor and council through the Indian agent of said tribe for the time being, for the occupancy of the members of said tribe, in such lots and numbers, and at such times as they may deem wise.

Resolved, That any male Indian of said tribe, of the age of twenty-one years, who desires to take up any one of such lots, not already taken up, upon making application therefor to the Indian agent aforesaid, shall be entitled to receive from the state of Maine, out of the state land office, a first certificate of occupancy of such lot so applied for, stating in such certificate, that such applicant shall be entitled to a further certificate of permanent possession and occupancy of such lot, upon compliance with the following conditions, to wit: every such applicant shall be required to go into actual occupancy of his lot, within three months from the date of his first certificate of occupancy, and within two years from the date of said first certificate, he shall fence the whole of his said lot, to the satisfaction of the Indian agent of the tribe for the time being. Every such applicant shall also be required, to break up to tillage, within two years from the date of said first certificate such portion of his said lot as said Indian agent shall prescribe, and within four years from said date, shall erect upon his said lot a dwelling, which shall be approved by said Indian agent.

Resolved, That any such applicant for any one lot, upon compliance with the foregoing conditions, shall be entitled to receive, and shall receive from the state out of the land office thereof, a certificate of permanent occupancy and possession of such lot, and if any such applicant fails in the performance of any of said conditions he shall forfeit all right to said lot, and the said Indian agent may thereupon dispose of said lot, according to foregoing provisions to another Indian, it being

expressly provided hereby that only one lot shall be granted to the same person. CHAP. 74

Resolved, That the foregoing provisions shall not be construed to include any lot or lots, which by reason of being adjacent to or connected with the shore or shores are especially valuable for fishing privileges, or for the construction of fish weirs, if any such lots there are; but said shore lots, shall be under the especial care and control of the said Indian agent of said tribe for the time being, and it shall be the duty of said agent to so manage said lots as to afford as far as possible, equal privileges to all male members of said tribe of the age of twenty-one years or over, until otherwise ordered.

Approved February 14, 1883.

Chapter 74.

Resolves in favor of School District number two in the Town of Madison.

Resolved, That the treasurer of state is hereby directed to give credit on his books for the sum of one thousand dollars to school district number two in the town of Madison in this state, it being the proceeds of a bond for one thousand dollars given for the benefit of said district by Mahlan D. Spaulding and accepted by resolve of the legislature approved March twenty-five, eighteen hundred and sixty-three. The treasurer of state is also further directed to pay to the legal agent of said district the sum of fifty dollars annually for all time to come.

School Dist. No. 2,
Madison, in favor
of.

Resolved, That this resolve shall take effect March one, eighteen hundred and eighty-three.

Approved February 14, 1883.

CHAP. 75

Chapter 75.

Resolves to correct a clerical error in the state valuation of Township Number Seven, Range Eleven, Piscataquis county, and for the abatement and refunding of the taxes assessed thereon.

Valuation of No. 7, R. 11, Piscataquis county, corrected.

Resolved, That the state valuation of eighteen hundred and eighty-one of township Number Seven, range Eleven, Piscataquis county, be, and hereby is, amended by striking out the sum of twenty-eight thousand eight hundred and three dollars, and inserting therefor twenty-two thousand eight hundred and three dollars, and that hereafter the state and county taxes be assessed upon the valuation of twenty-two thousand eight hundred and three dollars.

Tax abated.

Resolved, That the state treasurer be required to abate and refund to the owners of township Number Seven, range Eleven, Piscataquis county, twenty-seven dollars of the state tax, and six dollars and eighty-five cents of the county tax for the years of eighteen hundred and eighty-one and eighteen hundred and eighty-two.

Resolved, That the state treasurer be required to withhold six dollars and eighty-five cents from the county of Piscataquis, it being the amount of county tax of said county refunded as above.

Approved February 14, 1883.

Chapter 76.

Resolve in favor of the Town of Mattamiscontis.

Mattamiscontis, town of, in favor of.

Resolved, That the treasurer of state be, and hereby is authorized and directed to deliver to the treasurer of the town of Mattamiscontis, or his order, the municipal war debt bonds, being two hundred dollars, and currency, thirty-three dollars and thirty-three cents, awarded to Mattamiscontis plantation by the commissioners on equalization of municipal war debts, under the provisions of an act of the legislature approved March seven, eighteen hundred and sixty-eight, and an act amendatory thereto approved March three, eighteen hundred and sixty-nine, with coupons attached to said bonds; said bonds now being on deposit in, and said currency never having been drawn from, the office of the treasurer of state.

Approved February 14, 1883.

Chapter 77.**CHAP. 77**

Resolve in favor of Aurin L. Dresser and Company.

Resolved, That the treasurer of state is hereby authorized and directed to pay Aurin L. Dresser and Company the sum of twenty-four hundred sixty-three dollars and twenty cents, this being for six hundred copies Maine Reports, Judicial Decisions, volume seventy-three.

Aurin L. Dresser
& Co., in favor of.

Approved February 17, 1883.

Chapter 78.

Resolve authorizing the Sullivan Mining Company to mine under Sullivan River.

Resolved, That the Sullivan Mining Company of Sullivan, and its successors and assigns, be and hereby are authorized to mine for ores under Sullivan river, in the county of Hancock, and to take and have for their own use all metals, minerals and ores under said river below the line of low water mark, and to make all excavations under said river reasonably necessary for the mining and raising and securing said metals, minerals and ores. *Provided*, that the right to take such metals, minerals and ores shall be limited within the limits of the extension across said river of the side lines of the mining rights of said company, its successors or assigns, above low water mark; such extension to be perpendicular to the course of said river. *Provided, further*, that nothing herein contained shall in any way affect any private rights.

Sullivan Mining
Co. authorised to
mine under
Sullivan river.

Proviso.

Approved February 17, 1883.

Chapter 79.

Resolve authorizing the Milton Mining Company to mine under Sullivan River.

Resolved, That the Milton Mining Company of Sullivan and its successors and assigns be, and hereby are authorized to mine for ores under Sullivan river, in the county of Hancock, and to take and have for their own use, all metals, minerals and ores under said river, below the line of low

Milton Mining
Co. authorised
to mine under
Sullivan river.

CHAP. 80

Proviso.

water mark, and to make all excavations under said river reasonably necessary for the mining and raising and securing said metals, minerals and ores; *provided*, that the right to take such metals, minerals and ores shall be limited within the limits of the extension across said river of the side lines of the mining rights of said company, its successors and assigns, above low water mark; such extension to be perpendicular to the course of said river; *provided, further*, that nothing herein contained shall be construed as affecting private rights.

Approved February 17, 1883.

Chapter 80.

Resolve to correct certain clerical errors in the state valuation.

State valuation corrected.

Resolved, That the number of acres in Number Four, range Five, Oxford county, be hereafter fixed at twenty-one thousand two hundred and twenty-seven, instead of two thousand two hundred and twenty-seven, as now fixed in the state valuation; that Number Five, range Six, Oxford county, be changed to Number Four, range Six, Oxford county, and that the word "Standish" be stricken from the list of wild lands in Somerset county and the word 'Sandwich' substituted in the place thereof.

Approved February 17, 1883.

Chapter 81.

Resolve in favor of the joint standing committee on Agriculture.

E. E. Parkhurst,
in favor of.

Resolved, That the state treasurer be directed to pay to Elisha E. Parkhurst, the sum of sixty-four dollars and fifty cents, the same being the amount paid by him for expenses of the joint standing committee on agriculture, while on its recent visit to the Maine State College of Agriculture and the Mechanic Arts at Orono, in accordance with the order of the legislature.

Approved February 17, 1883.

Chapter 82.**CHAP. 82**

Resolve to enable the State Superintendent of Common Schools to hold teachers' meetings, as provided in item four of section seventy-one, chapter eleven of the Revised Statutes.

Resolved, That the sum of six hundred dollars be, and the same is hereby appropriated for the year eighteen hundred and eighty-three, and the like sum for the year eighteen hundred and eighty-four, the same to be taken from any school money belonging to the state, to enable the state superintendent of common schools to defray the expenses of holding teachers' meetings in the several counties of this state, one meeting or more to be held in each county in the state, which sums shall be expended under the direction of the state superintendent, all bills for which shall be audited by the governor and council; *provided, however*, that no bills shall be paid from said sums except for advertising such meetings and paying actual traveling expenses of speakers and lecturers not residing in the counties in which such meetings are held.

Teachers' meetings, to defray expenses of.

Proviso.

Approved February 17, 1883.

Chapter 83.

Resolve in favor of Saint Elizabeth Orphan Asylum of Portland.

Resolved, That the sum of eight hundred dollars be and is hereby appropriated for the benefit of the Saint Elizabeth Orphan Asylum of Portland, and the support of Soldiers' and Sailors' orphans therein, of which there shall be paid the sum of four hundred dollars in the year eighteen hundred and eighty-three, and the sum of four hundred dollars in the year eighteen hundred and eighty-four.

St. Elizabeth Orphan Asylum, in favor of.

Approved February 17, 1883.

Chapter 84.

Resolve in favor of the joint standing committee on State Prison.

Resolved, That the state treasurer be directed to pay G. W. McAlister, chairman of the joint standing committee on state prison, one hundred twenty-four dollars and ninety

G. W. McAlister, in favor of.

CHAP. 85

cents, the same being the amount paid by him for expenses of the joint standing committee on state prison while on its recent visit to that institution, in accordance with the order of the legislature.

Approved February 17, 1883.

Chapter 85.

Resolve changing the valuation of the towns of Berwick and South Berwick, in the county of York.

Valuation of
Berwick and
South Berwick,
changed.

Resolved, That the valuation of the town of Berwick shall be seven hundred and forty-eight thousand one hundred and eighty-four dollars, and the number of polls five hundred and sixty-nine; and the valuation of the town of South Berwick shall be nine hundred and thirty-eight thousand and thirty-five dollars, and the number of polls six hundred and thirty-one; and the state and county taxes for the year eighteen hundred and eighty-three and thereafter shall be based upon said sums respectively.

Approved February 17, 1883.

Chapter 86.

Resolve fixing the time when the Penobscot tribe of Indians shall hold their election.

Elections of
Penobscot In-
dians, to fix time,
etc.

Resolved, That for the year eighteen hundred and eighty-four, and biennially thereafter, the first Tuesday of October shall be the day on which the Penobscot tribe of Indians shall hold their election for the choice of governor and lieutenant governor of said tribe, and a representative to the legislature of this state. And the agent of said tribe shall give notice of the time and place thereof, seven days before said day of election by posting notices thereof, one at his office and one in some conspicuous place on Oldtown island. Said agent shall receive, sort and count the votes given in at said election, in presence of the members of the tribe, and shall give to those elected, certificates thereof.

Approved February 17, 1883.

Chapter 87.**CHAP. 87**

Resolve in relation to the revenue marine service of the United States.

Resolved, That the thanks of the State of Maine are due to the revenue marine service of the United States for assistance rendered by the revenue steamers along the coast of Maine, by which large amounts of property and many lives have been saved during the past two years.

Revenue marine
service, com-
mendatory of.

Approved February 17, 1883.

Chapter 88.

Resolve in favor of repealing a resolve in favor of Nelson Turney.

Resolved, That the resolve in favor of Nelson Turney, chapter five of resolves of eighteen hundred and seventy-eight, be and is hereby repealed.

Resolve
repealed.

Approved February 17, 1883.

Chapter 89.

Resolve in favor of the joint standing committee on State College of Agriculture and Mechanic Arts.

Resolved, That the treasurer of state be directed to pay to George E. Weeks, chairman of the joint standing committee on State College of Agriculture and Mechanic Arts, fifty-eight dollars and forty cents, the same being the amount paid by him for expenses of said committee while on its recent visit to said college in accordance with the order of the legislature.

George E. Weeks,
in favor of.

Approved February 17, 1883.

CHAP. 90

Chapter 90.

Resolve in favor of the joint standing committee on Military Affairs.

Francis E. Heath,
in favor of.

Resolved, That the treasurer of the state is hereby authorized and directed to pay Francis E. Heath, chairman of the joint standing committee on military affairs, the sum of thirty dollars and forty-five cents, the same being for expenses incurred by the committee, visiting the Bath Military and Orphan Asylum.

Approved February 17, 1883.

Chapter 91.

Resolve making appropriations for Passamaquoddy tribe of Indians for the years of eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Passamaquoddy
Indians, in favor
of.

Resolved, That there be paid from the state treasury, to be expended under the direction of the governor and council, to the agent of the Passamaquoddy tribe of Indians, for the benefit of said tribe, for the years of eighteen hundred and eighty-three and eighteen hundred and eighty-four, as follows:—For May dividends, four hundred dollars each year; for November dividends, three hundred dollars each year; for distressed poor, two thousand dollars each year; for agricultural purposes, six hundred dollars each year; for bounty on crops, three hundred dollars each year; for plowing, one hundred and fifty dollars each year; for salaries of governors, one hundred dollars each year; for salaries of lieutenant governors, forty dollars each year; for wood, two hundred dollars each year; for contingent expenses, one hundred dollars each year; for educational purposes, six hundred dollars each year, to be expended under the supervision of the agent of said tribe and the resident priest; for salary of priest, one hundred dollars each year; for dressing for land, one hundred dollars each year; for salary of agent, two hundred dollars each year, for contingent poor fund, five hundred dollars each year.

Approved February 17, 1883.

Chapter 92.**CHAP. 92**

Resolve in favor of an appropriation to build a bridge across Macwahoc Stream, in Macwahoc Plantation, County of Aroostook.

Resolved, That the sum of six hundred dollars be, and is hereby appropriated to build a bridge across the Macwahoc stream, in Macwahoc plantation, on the military road from Lincoln to Houlton, and that the same be expended under the direction of the county commissioners of said county of Aroostook.

Bridge across
Macwahoc
stream, in favor
of.

Approved February 19, 1883.

Chapter 93.

Resolves providing for an amendment of the Constitution, forever prohibiting the manufacture of intoxicating liquors, and prohibiting their sale except for medicinal and mechanical purposes and the arts.

Resolved, Two-thirds of both houses of the legislature concurring, that the following amendment to the constitution of the state be proposed, viz: The manufacture of intoxicating liquors, not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping for sale of cider, may be permitted under such regulations as the legislature may provide. The legislature shall enact laws with suitable penalties for the suppression of the manufacture, sale and keeping for sale of intoxicating liquors, with the exceptions herein specified.

Amendment of
the constitution.

Manufacture and
sale of intoxicat-
ing liquors,
prohibited.

Resolved, That the aldermen of cities, selectmen of towns, and assessors of plantations, in the state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations, in the manner prescribed by law, at the September election next ensuing after the passage and approval of these resolves, to give in their votes on the question whether the amendment to the constitution proposed in the foregoing resolve shall be made; and the question so submitted shall be:—'Shall the constitution be amended so as to prohibit forever the manufacture, sale and keeping for sale of intoxicating liquors as provided by the said amendment?'—And the inhabitants of said cities,

Amendment to be
submitted to
people.

Form of ques-
tion.

CHAP. 94Ballots, how
received.

Votes, returns of.

—how counted
and declared.Secretary of state
to provide
blanks.

towns and plantations, shall vote by ballot on said question, —those in favor of the amendment expressing it by the word 'yes' upon their ballots, and those opposed to the amendment by the word 'no' upon their ballots; and the ballots shall be received, sorted, counted, declared and recorded in open ward, town and plantation meeting, and lists of the votes so received shall be made and returned to the secretary of state in the same manner as votes for governor. And the governor and council shall open, examine and count the same, and make return thereof to the next legislature, and if it shall appear that a majority of the votes is in favor of said amendment, the governor shall, by his proclamation, declare such amendment to be adopted, and the constitution shall be amended accordingly, to take effect on the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-five.

Resolved, That the secretary of state shall prepare and furnish to the several cities, towns and plantations, ballots and blank returns, in conformity to the foregoing resolves, accompanied with a copy thereof; and that the aldermen of the several cities, the selectmen of the several towns, and the assessors of the several plantations, in the state, shall provide at each polling place a separate box to receive the ballots of the electors in relation to the proposed amendment.

Approved February 21, 1883.

Chapter 94.

Resolves relating to the valuation of the north and south halves of Township Number Two, north division, embraced within the limits of Grand Falls plantation, in the County of Penobscot, and taxes thereon.

Taxes on Town-
ship No. 2, N. D.,
Penobscot
county, abated.

Resolved, That the treasurer of state be and is hereby authorized and directed to abate the state taxes assessed upon the north and south halves of township Number Two, north division, in the county of Penobscot, for the years eighteen hundred and eighty-one and eighteen hundred and eighty-two; that the county commissioners of Penobscot county be and are hereby authorized and directed to abate the county taxes assessed upon said half townships for said years, and that the treasurer of state withhold from said county the several sums

paid into the state treasury as county taxes upon said lands and refund to the several persons who have paid to the state any part of such state and county taxes, the several sums so paid by them.

Resolved, That said described lands be stricken from the valuation lists; that the state and county taxes assessed by the state and the county commissioners of Penobscot county upon Number Two, Grand Falls plantation, for the years eighteen hundred and eighty-one and eighteen hundred and eighty-two, are hereby made legal and valid and that hereafter the valuation of said Number Two, Grand Falls plantation, as established by the last state valuation commissioners, be the true and legal valuation of said plantation. Valuation of.

Approved February 21, 1883.

Chapter 95.

Resolve establishing the valuation of Township Number One, Range Two, west of Bingham's Kennebec purchase, in the county of Franklin.

Resolved, That the valuation of township Number One, range Two, west of Bingham's Kennebec purchase, in the county of Franklin, be fixed at nine thousand eight hundred dollars, said township having been omitted from the valuation lists of eighteen hundred and eighty-one.

Valuation of No. 1, R. 2, Franklin county, established.

Approved February 24, 1883.

Chapter 96.

Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts.

Resolved, That the sum of thirteen thousand dollars be and the same is hereby appropriated for the purpose of paying for instruction and contingent expenses of the Maine State College of Agriculture and the Mechanic Arts for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four, as specified in the report of the joint standing committee on the Maine State College of Agriculture and Mechanic Arts, of which sum sixty-five hundred dollars may be paid out of the state treasury during the year eighteen

Maine State College of Agriculture and Mechanic Arts, in favor of.

CHAP. 94Ballots, how
received.

Votes, returns of.

—how counted
and declared.Secretary of state
to provide
blanks.

towns and plantations, shall vote by ballot on said question, —those in favor of the amendment expressing it by the word 'yes' upon their ballots, and those opposed to the amendment by the word 'no' upon their ballots; and the ballots shall be received, sorted, counted, declared and recorded in open ward, town and plantation meeting, and lists of the votes so received shall be made and returned to the secretary of state in the same manner as votes for governor. And the governor and council shall open, examine and count the same, and make return thereof to the next legislature, and if it shall appear that a majority of the votes is in favor of said amendment, the governor shall, by his proclamation, declare such amendment to be adopted, and the constitution shall be amended accordingly, to take effect on the first Wednesday of January, in the year of our Lord one thousand eight hundred and eighty-five.

Resolved, That the secretary of state shall prepare and furnish to the several cities, towns and plantations, ballots and blank returns, in conformity to the foregoing resolves, accompanied with a copy thereof; and that the aldermen of the several cities, the selectmen of the several towns, and the assessors of the several plantations, in the state, shall provide at each polling place a separate box to receive the ballots of the electors in relation to the proposed amendment.

Approved February 21, 1883.

Chapter 94.

Resolves relating to the valuation of the north and south halves of Township Number Two, north division, embraced within the limits of Grand Falls plantation, in the County of Penobscot, and taxes thereon.

Taxes on Town-
ship No. 2, N. D.,
Penobscot
county, abated.

Resolved, That the treasurer of state be and is hereby authorized and directed to abate the state taxes assessed upon the north and south halves of township Number Two, north division, in the county of Penobscot, for the years eighteen hundred and eighty-one and eighteen hundred and eighty-two; that the county commissioners of Penobscot county be and are hereby authorized and directed to abate the county taxes assessed upon said half townships for said years, and that the treasurer of state withhold from said county the several sums

paid into the state treasury as county taxes upon said lands and refund to the several persons who have paid to the state any part of such state and county taxes, the several sums so paid by them.

Resolved, That said described lands be stricken from the valuation lists; that the state and county taxes assessed by the state and the county commissioners of Penobscot county upon Number Two, Grand Falls plantation, for the years eighteen hundred and eighty-one and eighteen hundred and eighty-two, are hereby made legal and valid and that hereafter the valuation of said Number Two, Grand Falls plantation, as established by the last state valuation commissioners, be the true and legal valuation of said plantation. Valuation of.

Approved February 21, 1883.

Chapter 95.

Resolve establishing the valuation of Township Number One, Range Two, west of Bingham's Kennebec purchase, in the county of Franklin.

Resolved, That the valuation of township Number One, range Two, west of Bingham's Kennebec purchase, in the county of Franklin, be fixed at nine thousand eight hundred dollars, said township having been omitted from the valuation lists of eighteen hundred and eighty-one.

Valuation of No. 1, R. 2, Franklin county, established.

Approved February 24, 1883.

Chapter 96.

Resolve in favor of the Maine State College of Agriculture and the Mechanic Arts.

Resolved, That the sum of thirteen thousand dollars be and the same is hereby appropriated for the purpose of paying for instruction and contingent expenses of the Maine State College of Agriculture and the Mechanic Arts for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four, as specified in the report of the joint standing committee on the Maine State College of Agriculture and Mechanic Arts, of which sum sixty-five hundred dollars may be paid out of the state treasury during the year eighteen

Maine State College of Agriculture and Mechanic Arts, in favor of.

CHAP. 97 hundred and eighty-three, and sixty-five hundred dollars during the year eighteen hundred and eighty-four, under the direction of the governor and council.

Approved February 24, 1883.

Chapter 97.

Resolve making appropriations for the Penobscot Tribe of Indians, for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Penobscot Indians, in favor of.

Resolved, That there be paid from the state treasury, to the agent of the Penobscot Indians, to be appropriated for the benefit of said tribe, each year, as follows :— forty-four hundred twenty-nine dollars and seventy cents, amount of interest on their trust fund, held by the state for the benefit of said tribe ; seventeen hundred dollars for their annual annuity each year ; seven hundred dollars for agricultural purposes each year ; four hundred and fifty dollars for bounty on crops each year ; two hundred dollars for salary of agent for each year ; one hundred and fifty dollars to pay a competent person to instruct and assist said Indians in their agricultural labors each year ; six hundred dollars for schools each year, to be used in employing competent teachers, viz :— four hundred dollars for Oldtown island, under the supervision of the agent of said tribe, and resident priest ; seventy-five dollars on Olamon island, under the supervision of the superintending school committee of Greenbush ; one hundred and twenty-five dollars on Mattanawcook island, under the supervision of the superintending school committee of Lincoln ; and said committees are required to report as directed in resolve, approved March seventeen, eighteen hundred and sixty ; and it shall be the duty of said agent to see that the money is fully expended for the education of the children of the tribe ; one hundred dollars for the salary of said priest for each year, provided he says mass at least twenty-four Sundays during the year, for said tribe of Indians ; fifty dollars for salary of their governor each year ; thirty dollars for salary of their lieutenant governor each year ; three hundred dollars for repairs on chapel, in full, for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four ; all the foregoing sums to be expended under the direction of the governor and council.

Approved February 26, 1883.

Chapter 98.**CHAP. 98**

Resolve authorizing the appointment of commissioners to attend the National Mining and Industrial Exposition at Denver, Colorado.

Resolved, That the governor be and hereby is authorized, with advice and consent of the council, to appoint three commissioners to represent the state of Maine at the exposition of the National Mining and Industrial Exposition Association, to be held at Denver, in the state of Colorado, in the months of July, August and September of the present year. Said commissioners shall not receive compensation for services or expenses in attending said exposition.

Commissioners,
appointment of.

Approved February 27, 1883.

Chapter 99.

Resolve in favor of the Maine State Library.

Resolved, That the sum of five hundred dollars be appropriated for the state library for each of the years eighteen hundred and eighty-three and eighteen hundred and eighty-four, in addition to the sum allowed by law, for the purchase of books and incidental expenses.

Maine State
Library, in favor
of.

Approved February 27, 1883.

Chapter 100.

Resolve making an appropriation in favor of the Female Orphan Asylum of Portland, and for the support of soldiers' orphans therein, for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Resolved, That the sum of one thousand dollars be and hereby is appropriated for the benefit of the female orphan asylum of Portland, and for the support of soldiers' orphans therein, of which there shall be paid the sum of five hundred dollars in eighteen hundred and eighty-three and five hundred dollars in eighteen hundred and eighty-four.

Female Orphan
Asylum, in favor
of.

Approved February 28, 1883.

CHAP. 101**Chapter 101.**

Resolves in favor of the French Spoliation Claims.

French spoliation
claims, in favor
of payment of.

Resolved, That we respectfully instruct our senators and request our representatives in congress to use all proper efforts to secure the immediate passage of the French Spoliation bill.

Resolved, That the secretary of state be directed to forward to each senator and representative, a copy of these resolutions.

Approved February 28, 1883.

Chapter 102.

Resolve in favor of the committee on Education.

F. A. Robinson,
in favor of.

Resolved, That the treasurer of state be directed to pay to F. A. Robinson, House chairman of the committee on education, the sum of eighty-four dollars and twenty-six cents, the same being the amount paid by him for expenses of the committee while on its visits to the several normal schools, in accordance with the order of the Legislature.

Approved February 28, 1883.

Chapter 103.

Resolve in favor of Presque Isle Academy.

Presque Isle
Academy, in
favor of.

Resolved, That the state treasurer be and is hereby directed to pay to the treasurer of Presque Isle Academy, the sum of three thousand dollars, being the amount appropriated for the use and benefit of said academy, by a resolve approved March twenty-two, eighteen hundred and sixty-four, said sum to be paid by the treasurer, when it shall appear to the satisfaction of the governor and council by the certificate of said treasurer, that a sum not less than eight thousand dollars has been expended on school buildings, in the town of Presque Isle, and that the annual interest required to be paid by said resolve of March twenty-two, eighteen hundred and sixty-four, shall not be paid after the payment of the aforesaid sum of three thousand dollars.

Approved February 28, 1883.

Chapter 104.**CHAP. 104**

Resolve in favor of Charles W. Goddard.

Resolved, That the state treasurer is hereby authorized and directed to pay to Charles W. Goddard, of Portland, five thousand dollars for his services in the revision of the general and public laws of the state, as sole commissioner under the resolve of March eight, eighteen hundred and eighty-one, as defined and arranged by the committee on the judiciary in pursuance of said resolve.

Charles W.
Goddard, in favor
of.

Approved February 28, 1883.

Chapter 105.

Resolve in favor of Mrs. Levi L. Powers.

Resolved, That the land agent be and is hereby authorized to convey to Mrs. Levi L. Powers, widow of Levi L. Powers, any lot of land not contracted or conveyed in Chapman plantation which she may select, in full discharge of all claims against the state under the report of the commissioners of eighteen hundred and fifty-five, awarding one hundred acres in township Number Nine, range Five, to said Levi L. Powers, under the treaty of Washington.

Mrs. Levi L.
Powers, in favor
of.

Approved February 28, 1883.

Chapter 106.

Resolve in favor of Jesse Craig and the heirs and assigns of Levi Sewall.

Resolved, That the land agent be and is hereby authorized to convey to Jesse Craig, of Island Falls, and to the heirs and assigns of Levi Sewall, late of Island Falls, deceased, so much of section Number twenty-six, in Island Falls, as he shall, upon investigation, find the state of Massachusetts has been paid for, to be conveyed to the person or persons to whom it equitably belongs.

Jesse Craig et al.
in favor of.

Approved February 28, 1883.

CHAP. 107

Chapter 107.

Resolve to furnish certain books to the town of Dresden.

Town of Dresden,
in favor of.

Resolved, That the secretary of state be directed to furnish to the town of Dresden, the following books:—volumes fifteen, twenty-one, twenty-six, twenty-seven, twenty-eight, twenty-nine, forty-four, forty-five, forty-six, forty-eight, fifty-one, fifty-two, of the Maine Reports; and the Acts and Resolves of eighteen hundred and forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-eight, fifty-three, fifty-four, fifty-five, sixty-one, sixty-two, sixty-three, sixty-seven, seventy-three, seventy-five, seventy-six, seventy-seven, and the private and special laws from eighteen hundred and twenty, to eighteen hundred and forty-five, inclusive, so far as the same, or any part thereof, can be so furnished without injury to the state.

Approved February 28, 1883.

Chapter 108.

Resolve in aid of the Childrens Home at Bangor.

Childrens Home,
in favor of.

Resolved, That the sum of two thousand dollars be and hereby is appropriated for the support of soldiers orphans at the Childrens Home in Bangor, of which there shall be paid the sum of one thousand dollars during the year eighteen hundred and eighty-three, and one thousand dollars during the year eighteen hundred and eighty-four.

Approved March 2, 1883.

Chapter 109.

Resolve in aid of building a bridge in the Town of Madawaska.

Bridge in Madawaska,
in aid of building.

Resolved, That the sum of two hundred and fifty dollars be, and is hereby appropriated to aid in building a bridge across the Vital Dufour stream, in the town of Madawaska, county of Aroostook, and that said sum be expended under the direction of the county commissioners of said county.

Approved March 7, 1883.

Chapter 110.**CHAP. 110**

Resolve establishing the valuation of the town of Presque Isle.

WHEREAS, by an act of this legislature, approved February fourteen, eighteen hundred and eighty-three, the town of Maysville was annexed to the town of Presque Isle, therefore:—

Preamble.

Resolved, That the valuation of the town of Presque Isle be fixed at five hundred sixty-three thousand six hundred and thirteen dollars, and the number of polls therein at four hundred and eighty-five.

Presque Isle,
valuation of.

Approved March 7, 1883.

Chapter 111.

Resolve in favor of the Maine Industrial School for Girls.

Resolved, That there be, and hereby is appropriated, the sum of four thousand dollars for the use of the Maine Industrial School for Girls, at Hallowell, to meet the current expenses of the year one thousand eight hundred and eighty-three; and four thousand dollars for the same purpose for the year one thousand eight hundred and eighty-four.

Industrial School
for Girls, in favor
of.

Approved March 7, 1883.

Chapter 112.

Resolve providing a place for the safe keeping of the papers of the Railroad Commissioners.

Resolved, That the superintendent of public buildings be and he is authorized and required to provide some suitable place for the safe keeping of the papers belonging to the railroad commissioners, but without additional expense to the state.

Railroad com-
missioners,
papers of, safe
keeping of.

Approved March 7, 1883.

CHAP. 113

Chapter 113.

Resolve in favor of the State Prison.

State prison,
in favor of.

Resolved, That the sum of twenty-three thousand six hundred and fifty dollars be and is hereby appropriated for the benefit of the state prison, to be divided as follows:—seven thousand seven hundred and fifty dollars for the payment of the balance of the old indebtedness of the prison and interest on same, to be expended and paid out under the direction of the governor and council; thirteen thousand seven hundred dollars for the payment of the deficiency in eighteen hundred and eighty-one and eighteen hundred and eighty-two; two thousand dollars for repairs on prison buildings for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four, and two hundred dollars for each year during the years eighteen hundred and eighty-three and eighteen hundred and eighty-four, for the prison library; the three latter sums to be expended and paid out under the direction of the warden of the prison.

Approved March 7, 1883.

Chapter 114.

Resolve to apportion one hundred and fifty-one Representatives among the several counties, cities, towns, plantations and classes, in the State of Maine.

Representative
apportionment.

Resolved, That for the sixty-second legislature, and the succeeding legislatures, to and including that of the year one thousand eight hundred and ninety-one, the county of Androscoggin shall choose eleven representatives, to be apportioned as follows, to wit:

Androscoggin.

Lewiston, four; Auburn, two; Turner and Livermore, one; East Livermore, Leeds and Greene, one; Lisbon and Webster, one; Minot and Durham, one; Poland and Wales, one.

Aroostook.

The county of Aroostook shall choose ten representatives, to be apportioned as follows:

Linneus, number eleven range one, Amity, Orient, Weston, Bancroft, Haynesville, Oakfield, Glenwood, Reed, Barker, number three, number four range three, and all other unorganized townships in ranges two and one, one; Houlton and

Hodgdon, one ; Presque Isle, Washburn, Mapleton, Chapman and Westfield, one ; Monticello, Bridgewater, Blaine, Littleton, New Limerick, Ludlow, letter B range two, letter C range two, letter D range two, and letter E range two, one ; Fort Fairfield, Easton and Mars Hill, one ; Caribou, Woodland, Perham and New Sweden, one ; Saint Francis, all unincorporated places above Saint Francis, Saint John, Fort Kent, New Canada, Wallagrass, Eagle Lake, Portage Lake, Sheridan, Castle Hill, Wade, Nashville, all townships west of range seven, numbers thirteen, fourteen range five, numbers fourteen, fifteen, sixteen, seventeen range six, and numbers nine, ten, eleven, twelve, thirteen, fourteen, fifteen range seven, one ; Grand Isle, Van Buren, Cyr plantation, Hamlin plantation, Caswell plantation, Limestone plantation, Connor, and numbers sixteen and seventeen range three, one ; Frenchville, Madawaska, numbers fifteen, sixteen, seventeen range four, numbers fifteen, sixteen and seventeen range five, one ; Sherman, Benedicta, Silver Ridge, number one range five, Molunkus, Macwahoc, Island Falls, Dyer Brook, Merrill, Smyrna, Masardis, Ashland, number eleven range six, Oxbow, numbers seven, eight, nine, range five, Moro, Hersey, Crystal, numbers one, two, three, seven, eight, nine, ten, eleven range four, numbers six, seven, eight, nine, ten range three, and number ten range six, one.

The county of Cumberland shall choose twenty representatives, to be apportioned as follows : Cumberland.

Portland, five ; Cape Elizabeth, one ; Westbrook, one ; Deering, one ; Brunswick, one ; Gorham, one ; Bridgton, one ; Windham, one ; Pownal and Freeport, one ; Harrison, Otisfield and Casco, one ; Baldwin and Standish, one ; Gray and New Gloucester, one ; Falmouth and Cumberland, one ; Raymond, Naples and Sebago, one ; Yarmouth and North Yarmouth, one ; Scarborough for the years eighteen hundred and eighty-five and eighteen hundred and eighty-nine, one ; Harpswell for the years eighteen hundred and eighty-seven and eighteen hundred and ninety-one, one ; Harpswell shall choose one in the years eighteen hundred and eighty-six and eighteen hundred and ninety, if, by reason of an amendment of the constitution, annual and regular sessions of the legislature shall be held in those years ; and Scarborough shall choose one in eighteen hundred and eighty-eight, if, for the same reason, such session shall be held in that year.

CHAP. 114

Franklin.

The county of Franklin shall choose four representatives, to be apportioned as follows :

Jay, Chesterville, Wilton and Carthage, one ; Farmington and New Sharon, one ; Avon, Strong, Phillips, Weld, Temple, Perkins plantation, Washington plantation, number six plantation, letter E plantation, one ; Industry, New Vineyard, Freeman, Salem, Kingfield, Eustis, Madrid, Rangeley, Rangeley plantation, Dallas plantation, Greenvale plantation, Coplin plantation, and all other territory in Franklin county not included in any other district, one.

Hancock.

The county of Hancock shall choose nine representatives, to be apportioned as follows :

Ellsworth, one ; Bucksport and Verona, one ; Orland, Castine and Brooksville, one ; Bluehill, Surry and Dedham, one ; Mount Desert, Eden, Tremont and Cranberry Isles, one ; Deer Isle, Swans Island, and all other islands in said county not included in any other district, one ; Gouldsborough, Sullivan, Franklin, Eastbrook, and townships and plantations numbers seven, eight, nine, ten and twenty-one, one ; Trenton, Lamoine, Hancock, Waltham, Mariaville, Otis, Amherst, Aurora, plantation number thirty-three, and all other plantations and townships not included in any other district, one ; Penobscot, Sedgwick, Brooklin and Long Island, one.

Kennebec.

The county of Kennebec shall choose thirteen representatives, to be apportioned as follows :

Augusta, two ; Gardiner, one ; Waterville, one ; Hallowell, one ; Winthrop, Belgrade and Rome, one ; Readfield, Fayette, Vienna and Mount Vernon, one ; Litchfield, Monmouth and Wayne, one ; West Waterville, Sidney and Manchester, one ; Pittston, West Gardiner and Farmingdale, one ; Clinton, Benton and Winslow, one ; China, Albion, Chelsea and Unity plantation, one ; Vassalborough and Windsor, one.

Knox.

The county of Knox shall choose eight representatives, to be apportioned as follows :

Camden, one ; Rockland, two ; Thomaston, Matinicus Isle plantation and Muscle Ridge plantation, one ; Saint George, Cushing and Friendship, one ; South Thomaston, Vinalhaven, North Haven and Hurricane Isle, one ; Washington, Appleton and Hope, one ; Warren and Union, one.

Lincoln.

The county of Lincoln shall choose six representatives, to be apportioned as follows :

Bristol and Damariscotta, one ; Boothbay and Southport, CHAP. 114
 one ; Dresden, Wiscasset, Edgecomb and Westport, one ;
 Alna, Newcastle, Nobleborough and Somerville, one ; Jeffer-
 son, Whitefield and Bremen, one ; Waldoborough, Monhegan
 and Muscongus, one.

The county of Oxford shall choose seven representatives, Oxford.
 to be apportioned as follows :

Norway, Oxford and Hebron, one ; Paris, Buckfield and
 Milton, one ; Hiram, Fryeburg, Stow and Lovell, one ;
 Porter, Brownfield, Denmark, Waterford and Sweden, one ;
 Hartford, Sumner, Canton, Woodstock and Greenwood, one ;
 Peru, Dixfield, Franklin plantation, Mexico, Roxbury, Byron,
 Andover and Rumford, one ; Newry, Grafton, Upton, Lincoln
 plantation, Bethel, Gilead, Mason, Albany, Stoneham, Han-
 over, Riley, number five range one, and all territory not
 included in either of the above classes, one.

The county of Penobscot shall choose sixteen representa- Penobscot.
 tives, to be apportioned as follows :

Bangor, three ; Dexter and Garland, one ; Exeter, Corinna
 and Newport, one ; Plymouth, Etna, Dixmont and Newburg,
 one ; Corinth, Charleston and Bradford, one ; Stetson, Levant,
 Carmel and Kenduskeag, one ; Hampden and Orrington, one ;
 Brewer and Veazie, one ; Orono, Glenburn and Hermon, one ;
 Oldtown, Alton and Hudson, one ; Eddington, Holden, Clif-
 ton, Bradley, Milford, Greenfield and Greenbush, one ;
 Lagrange, Argyle, Edinburg, Howland, Maxfield, Mattamis-
 contis, Passadumkeag, Lincoln and Enfield, one ; number
 one plantation, number two Grand Falls plantation, Lowell,
 Burlington, number three south of Lee, Lakeville plantation,
 Carroll, Springfield, Lee, Prentiss and Webster plantation,
 one ; Chester, Winn, Mattawamkeag, Kingman, Drew plan-
 tation, Medway, Woodville plantation, Staceyville plantation,
 Patten, Mount Chase, and all other territory in Penobscot
 county not included in any other class, one.

The county of Piscataquis shall choose three representa- Piscataquis.
 tives, to be apportioned as follows :

Atkinson, Brownville, Medford, Milo, Orneville, Sebec,
 Williamsburg, Barnard, Bowerbank, number four range eight,
 numbers four, five, six and seven range nine, one ; Foxcroft,
 Dover, Parkman and Sangerville, one ; Abbot, Blanchard,
 Greenville, Guilford, Willimantic, Kingsbury, Monson,

CHAP. 114 Shirley, Wellington, and all other territory not included in any other class, one.

Sagadahoc. The county of Sagadahoc shall choose four representatives, to be apportioned as follows :

Richmond, Bowdoin and Perkins, one ; Bowdoinham, Topsham and West Bath, one ; Bath, one ; Woolwich, Arrowsic, Georgetown and Phippsburg, one.

Somerset. The county of Somerset shall choose eight representatives, to be apportioned as follows :

Fairfield, Smithfield and Mercer, one ; Norridgewock, Madison and Solon, one, Cambridge, Harmony, Hartland, Ripley and St. Albans, one ; Pittsfield, Palmyra and Detroit, one ; Skowhegan, one ; Canaan, Cornville, Athens and Brighton, one ; Mayfield, Bingham, Moscow, Concord, Embden, Lexington, Dead River, Moose River, West Forks, Flagstaff, The Forks, and all other plantations, one ; Starks, Anson and New Portland, one.

Waldo. The county of Waldo shall choose seven representatives, to be apportioned as follows :

Belfast, one ; Stockton, Prospect and Searsport, one ; Frankfort, Winterport and Monroe, one ; Burnham, Troy, Unity, Thorndike and Jackson, one ; Lincolnville, Isleborough, Northport and Belmont, one ; Liberty, Montville, Searsmont and Palermo, one ; Freedom, Knox, Brooks, Waldo, Morrill and Swanville, one.

Washington. The county of Washington shall choose ten representatives, to be apportioned as follows :

Eastport, one ; Calais, one ; East Machias, Alexander, Marshfield, Whitneyville, Crawford, Wesley, numbers eighteen and nineteen east division, one ; Dennysville, Meddybemps, Lubec, Charlotte and Edmunds, one ; Pembroke, Perry, and Robbinston, one ; Cherryfield, Steuben, Millbridge, Deblois, Beddington and Deveraux, one ; Machias, Columbia Falls, Columbia, Northfield and number eighteen middle division, one ; Whiting, Machiasport, Marion, Trescott, Cutler, Cooper and number fourteen east division, one ; Jonesport, Addison, Harrington, Jonesborough and Centerville, one ; Danforth, Princeton, Baileyville, Baring, Topsfield, Waite, number seven, range two, number nine range four, Codyville, Brookton, Talmadge, number twenty-one, north division plantation, and all territory not otherwise classed, one.

The county of York shall choose fifteen representatives, to be apportioned as follows : **CHAP. 115**
York.

Biddeford, two ; Saco, one ; Kittery, one ; Newfield, Shapleigh and Acton, one ; Hollis and Buxton, one ; Dayton and Kennebunkport, one ; Eliot, for the years eighteen hundred and eighty-five, eighteen hundred and eighty-six, eighteen hundred and eighty-nine and eighteen hundred and ninety, one ; South Berwick, for the years eighteen hundred and eighty-three, eighteen hundred and eighty-four, eighteen hundred and eighty-seven, eighteen hundred and eighty-eight, eighteen hundred and ninety-one and eighteen hundred and ninety-two, one ; Waterborough and Limerick, one ; Sanford and Lebanon, one ; Lyman, Limington and Old Orchard, one ; Cornish and Parsonsfield, one ; Berwick and North Berwick, one ; York, for the years eighteen hundred and eighty-five, eighteen hundred and eighty-six, eighteen hundred and eighty-nine, eighteen hundred and ninety, one ; Wells, for the years eighteen hundred and eighty-seven, eighteen hundred and eighty-eight, eighteen hundred and ninety-one and eighteen hundred and ninety-two, one ; Alfred and Kennebunk, one.

Approved March 9, 1883.

Chapter 115.

Resolve in favor of the abatement of the State and County taxes on Washington plantation.

Resolved, That the state and county taxes assessed on Washington plantation in the county of Franklin, now due and unpaid, amounting to one hundred twenty-eight dollars and seventy-nine cents, be and hereby are abated.

Taxes on Washington plantation, abated.

Approved March 9, 1883.

Chapter 116.

Resolve to authorize the county of Knox to procure a loan.

Treasurer of
Knox county
authorized to
procure a loan.

Resolved, That the county treasurer of the county of Knox is hereby authorized to procure by loan on the faith and responsibility of the said county, such sum, not to exceed eleven thousand dollars, as the county commissioners of said county shall order and direct, said sum so procured to be divided as nearly as may be convenient into four equal parts, payable respectively in one, two, three and four years from July first, eighteen hundred and eighty-four, with interest thereon at such rate, not to exceed four per cent, as said county commissioners shall fix; and said treasurer is authorized to issue and sell, in such manner as said county commissioners shall direct, bonds of the said county therefor, signed by the chairman of said county commissioners and by himself, with interest coupons attached; and the proceeds of said loan shall be used to pay such balance of the bonds of said county which mature on July first, eighteen hundred and eighty-four, as is not provided for in the amount to be raised for the payment thereof by the county tax for said year.

Approved March 9, 1883.

Chapter 117.

Resolve to apportion the state for Senators to the Legislature.

Senatorial
districts.

Resolved, That for the sixty-second legislature and the succeeding legislatures to and including the year one thousand eight hundred and ninety-one, the state be and is hereby divided into sixteen districts for the choice of senators, and each district shall be entitled to elect the number of senators herein provided, for the term of eight years, in the manner prescribed by the constitution, to wit:

Apportionment
of senators.

The county of York shall form the first district, and be entitled to elect three senators.

The county of Cumberland shall form the second district, and be entitled to elect four senators.

The county of Oxford shall form the third district, and be entitled to elect two senators.

The county of Androscoggin shall form the fourth district, CHAP. 118
and be entitled to elect two senators.

The county of Franklin shall form the fifth district, and
be entitled to elect one senator.

The county of Sagadahoc shall form the sixth district, and
be entitled to elect one senator.

The county of Kannebec shall form the seventh district,
and be entitled to elect two senators.

The county of Somerset shall form the eighth district, and
be entitled to elect one senator.

The county of Piscataquis shall form the ninth district, and
be entitled to elect one senator.

The county of Penobscot shall form the tenth district, and
be entitled to elect three senators.

The county of Lincoln shall form the eleventh district, and
be entitled to elect one senator.

The county of Knox shall form the twelfth district, and be
entitled to elect two senators.

The county of Waldo shall form the thirteenth district, and
be entitled to elect two senators.

The county of Hancock shall form the fourteenth district,
and be entitled to elect two senators.

The county of Washington shall form the fifteenth district,
and be entitled to elect two senators.

The county of Aroostook shall form the sixteenth district,
and be entitled to elect two senators.

Approved March 9, 1883.

Chapter 118.

Resolve in favor of the committee on Reform School.

Resolved, That the treasurer of state be directed to pay to
E. T. Stearns the sum of fifty-three dollars, the same being
the amount paid out by him, for expenses of the committee
on reform school, while on its recent visit to that institution
in accordance with the order of the legislature.

E. T. Stearns,
in favor of.

Approved March 9, 1883.

CHAP. 119

Chapter 119.

Resolve providing for the payment of certain claims against the Insane Hospital.

Hannah E. Casey
and Mercy E.
Moody, in favor
of.

Resolved, That the sum of three thousand six hundred and eighty dollars be and hereby is appropriated in favor of the Maine Insane Hospital, to be expended by the trustees thereof, after deducting therefrom the sum of four hundred and eighty dollars already expended for witnesses, physicians and referees, in settling the claims of Hannah E. Casey and the legal representatives of Mercy E. Moody, against said hospital, for personal injuries received in a collision with a runaway team of said hospital, October eleventh, eighteen hundred and eighty-one; *provided, however*, that said parties shall execute and deliver to said trustees a release forever discharging said hospital from all claims arising out of said accident.

Approved March 9, 1883.

Chapter 120.

Resolve for the purchase of the Maine State Year Book and Legislative manual for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Maine State Year
Book, for pur-
chase of.

Resolved, That the secretary of state be authorized to contract for three hundred copies of the Maine State year book and Legislative manual for the year eighteen hundred and eighty-three at a cost not to exceed four hundred and fifty dollars. Seventy-five copies of the above named number, octavo, suitable for binding with documents, one copy to be delivered on or before the first day of May next, to each officer and member of the legislature and balance to the secretary of state for the heads of departments for their use. Also six hundred copies of the same for the year eighteen hundred and eighty-four at a cost not to exceed nine hundred dollars. Seventy-five copies of the above number, octavo, to bind with documents and for exchange with other states; one copy to be delivered to each officer and member of the legislature on or before the first day of May, eighteen hundred and eighty-four, and the balance to the secretary of state for the heads

of departments for their use, and for the officers and members of the legislature for the year eighteen hundred and eighty-five.

CHAP. 121

Approved March 9, 1883.

Chapter 121.

Resolve in reference to the distribution of the Revised Statutes of eighteen hundred and eighty-three.

Resolved, That the secretary of state is hereby directed to distribute one copy of the revised statutes of eighteen hundred and eighty-three, when completed and ready for distribution, to each member of the present legislature and the officers thereof.

Revised statutes,
distribution of.

Approved March 10, 1883.

Chapter 122.

Resolves authorizing a Temporary Loan for the year eighteen hundred and eighty-three.

Resolved, That to provide for the wants of the treasury, the treasurer of state be, and he hereby is authorized to procure, on the faith of the state, if he shall deem it necessary during the current year, a temporary loan of three hundred thousand dollars, or so much thereof as may be needed.

Temporary loan
authorized.

Resolved, That the treasurer of state is hereby authorized to give notes in behalf of the state, reimbursable within twelve months from the date hereof, for such portions of the loan hereby authorized, as may be found necessary.

Approved March 10, 1883.

CHAP. 123**Chapter 123.**

Resolve for the propagation and protection of fish and game for the years of eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Propagation of
fish and game,
in favor of.

Resolved, That the sum of seven thousand five hundred dollars be and hereby is appropriated for each of the years of eighteen hundred and eighty-three and eighteen hundred and eighty-four, to be expended under the direction of the commissioners of fisheries and game, for the propagation and protection of fish and game.

Approved March 10, 1883.

Chapter 124.

Resolve in favor of New Canada Plantation.

New Canada
plantation, in
favor of.

Resolved, That there be paid by the treasurer of the state, out of the school fund, to the plantation of New Canada, in Aroostook county, on the second day of July, eighteen hundred and eighty-three, the sum of fifty-eight dollars:—*provided*, due school returns are previously made to the superintendent of common schools.

Approved March 10, 1883.

Chapter 125.

Resolve in favor of Normal Schools.

Repair of normal
school buildings.

Resolved, That for repairs and improvements upon the buildings and grounds of the three normal schools, established and maintained by the state, there be and hereby is appropriated the sum of twenty-five hundred dollars for the year eighteen hundred and eighty-three and a like sum for the year eighteen hundred and eighty-four, the same to be expended under the direction of the trustees of normal schools.

Approved March 10, 1883.

Chapter 126.**CHAP. 126**

Resolve in favor of furnishing the town of Old Orchard with reports and other official documents.

Resolved, That the State librarian is authorized and directed to furnish to the town of Old Orchard, as soon as may be after the act incorporating the same shall take effect, such copies of acts and resolves, judicial reports, and other official documents usually furnished to newly incorporated towns as can be spared from the state library.

Town of Old Orchard, in favor of.

Approved March 10, 1883.

Chapter 127.

Resolve in favor of the Lee Normal Academy.

Resolved, That the sum of six hundred dollars is hereby annually appropriated out of the school fund, for the term of four years, to Lee Normal Academy, an institution of learning located in the town of Lee, in the county of Penobscot; *provided, however*, that this appropriation is made on the express conditions that the trustees of said institution shall maintain and keep in operation a school equal in rank and grade of teaching with a first-class academy, and also maintain a normal department equal in grade to that required by law of the state normal schools; *and provided further*, that the governor and council and superintendent of common schools shall have a right at any and all times to visit said school when the same shall be in operation, and if in the opinion of the governor and council, said institution at any time hereafter, shall fail to fulfill the conditions contained in this resolve, they may, in their discretion withhold the appropriation herein granted.

Lee Normal Academy, in favor of.

Approved March 10, 1883.

CHAP. 128**Chapter 128.**

Resolve concerning the valuation of certain towns.

Valuation of
certain towns.

Resolved, That the petitions of the selectmen of the towns of Hermon, Dedham, Eastbrook, the assessors of Webster plantation, the inhabitants of Long Island plantation, of John P. Donworth, B. R. Lunt and others, William Connor and others, Joel Valley and others, and an order concerning Kineo, praying for reduction of valuation and for abatement of taxes be and the same are hereby referred to the governor and council, to be by them considered, and that they report their conclusions thereon to the next legislature.

Approved March 10, 1883.

Chapter 129.

Resolves in favor of the Maine Insane Hospital.

Insane Hospital,
erection of new
pavilion, author-
ized.Appropriation
for.

Resolved, That the trustees of the Maine Insane Hospital are hereby authorized to take in charge the erection and construction of a new pavilion or building similar in design to the new pavilion recently erected, for the relief of the male wings of the hospital buildings, including the furnishing of heating apparatus, plumbing, elevators and everything necessary to complete the said building ready for occupancy by patients; and the sum of thirty thousand dollars is hereby appropriated for the purpose, the cost of the same in no event to exceed said sum, the bills for the expenditures of said money to be approved by the governor and council. Plans and specifications of said building and fittings shall be made by the trustees, and the erection and completion of said building and putting in fittings as above stated, including the furnishing of materials, shall be done by contract or contracts, and the trustees shall superintend the work as it progresses; also,

Resolved, That the sum of ten thousand dollars is hereby appropriated for finishing the new building or pavilion recently erected for use of said hospital, including the furnishing of heating apparatus, plumbing, elevators and all necessary grading of the grounds, the same to be done under direction of the trustees.

Approved March 10, 1883.

Chapter 130.**CHAP. 130**

Resolve relating to a bond held in trust by the State for the State College of Agriculture and the Mechanic Arts.

WHEREAS, The state of Maine holds in trust, for the benefit of the State College of Agriculture and the Mechanic Arts, a registered bond of the state of Maine, numbered two hundred and forty-nine, for the sum of two thousand dollars, which became due March one, in the year of our Lord one thousand eight hundred and eighty-three; and the state of Maine, by a resolve approved March twenty-four, in the year of our Lord one thousand eight hundred and sixty-four, directed the treasurer of state to invest all money received from the sale of land scrip given to said college by the United States in the six per cent stock of this state, to be inviolably held for the benefit of said college, and this sum of two thousand dollars being a portion of said investment, therefore, be it

Preamble.

Resolved, That the treasurer of state be authorized and directed to issue a new registered bond, in favor of said college, for the sum of two thousand dollars, bearing interest at the rate of six per cent per annum, payable semi-annually, to bear date of March one, in the year of our Lord one thousand eight hundred and eighty-three, and payable in six years from date; the same being in lieu of bond number two hundred and forty-nine, for a like sum, due March one, in the year of our Lord one thousand eight hundred and eighty-three; said bond to be signed by the treasurer, countersigned by the governor, and attested by the secretary of state.

Treasurer of state authorized to issue new bond to State College of Agriculture and Mechanic Arts.

Approved March 10, 1883.

Chapter 131.

Resolve in favor of the town of Harpswell.

Resolved, That there be paid by the treasurer of state, out of the school funds for the current year, to the town of Harpswell, the sum of thirty-one dollars and forty cents, it

Town of Harpswell, in favor of.

CHAP. 132 being a balance in equity due said town as its proportion of the school funds for the year eighteen hundred and eighty-two.

Approved March 10, 1883.

Chapter 133.

Resolve in favor of Eben Trafton, of Masardis.

Eben Trafton, in
favor of.

Resolved, That there be paid to Eben Trafton, of Masardis, the sum of one hundred twenty-five dollars and four cents, in full for his claim as assignee of Samuel Leavitt, under resolve of February twenty, eighteen hundred and fifty-four, and for balance due him for labor performed for the state, on roads in the town of Masardis.

Approved March 10, 1883.

Chapter 133.

Resolve in relation to conveyances to Swedish Settlers.

Swedish settlers,
in favor of.

Resolved, That the land agent be and is hereby authorized, under direction of the governor and council, to convey lots to the Swedish settlers that have occupied them under the acts of eighteen hundred and seventy, eighteen hundred and seventy-one, eighteen hundred and seventy-two and eighteen hundred and seventy-three, and have, in good faith, performed all the settling duties required by law, and appear to be justly and equitably entitled to deeds, which have been withheld in consequence of some informality, or failure of the local agent to comply with the terms of the law.

Approved March 10, 1883.

Chapter 134.**CHAP. 134**

Resolves relating to the Treaty land, known as the John Mathison lot in township number nine, range five, in the county of Aroostook.

Resolved, That the land agent be, and is hereby authorized and directed to investigate the claim of James H. Swett to the treaty land known as the John Mathison lot, in township number nine, range five, in the county of Aroostook, and convey to said Swett the state's interest therein; *provided*, it shall appear that he is equitably entitled to the same. James H. Swett,
in favor of.

Resolved, That the resolve entitled "Resolve authorizing the land agent to convey a lot of land to the heirs of the late John Mathison," approved January twenty-nine, eighteen hundred and sixty-eight, is hereby repealed. Provide.

Resolve repealed.

Approved March 10, 1883.

Chapter 135.

Resolve in favor of the town of Kingsbury.

Resolved, That the town of Kingsbury be paid out of the funds in the treasury the sum of six hundred dollars, in full of all demands against the state of Maine for the support of state paupers from eighteen hundred and seventy-four to the present, as set forth in a petition of the selectmen for support of John Leishon and family to the amount of nine hundred and forty-eight dollars; also, Thomas Holmes and family to the amount of forty-five dollars. Town of Kings-
bury, in favor of.

Approved March 14, 1883.

Chapter 136.

Resolve laying a tax on the counties of the State for the years eighteen hundred and eighty-three and eighteen hundred and eighty-four.

Resolved, That the sums annexed to the counties in the following schedule are hereby granted as a tax on each county respectively, to be appropriated, assessed, collected and applied for the purpose of paying the debts and necessary County taxes.

CHAP. 137 expenses of the same, and other purposes ordered by law, for the year one thousand eight hundred and eighty-three, to wit: Androscoggin, thirty thousand dollars; Aroostook, sixteen thousand dollars; Cumberland, thirty thousand dollars; Franklin, seven thousand dollars; Hancock, eleven thousand five hundred dollars; Knox, twenty-three thousand dollars; Kennebec, thirty-four thousand dollars; Lincoln, nine thousand dollars; Oxford, eleven thousand dollars; Penobscot, twenty-five thousand dollars; Piscataquis, six thousand five hundred dollars; Sagadahoc, fifteen thousand dollars; Somerset, fourteen thousand dollars; Washington, thirteen thousand dollars; Waldo, fourteen thousand six hundred dollars; York, twenty thousand dollars.

For the year one thousand eight hundred and eighty-four, the following sums, to wit: Androscoggin, thirty thousand dollars; Aroostook, sixteen thousand dollars; Cumberland, thirty thousand dollars; Franklin, seven thousand dollars; Hancock, eleven thousand five hundred dollars; Knox, twenty-three thousand dollars; Kennebec, thirty-four thousand dollars; Lincoln, nine thousand dollars; Oxford, eleven thousand five hundred dollars; Penobscot, twenty-five thousand dollars; Piscataquis, six thousand five hundred dollars; Sagadahoc, fifteen thousand dollars; Somerset, fourteen thousand dollars; Washington, thirteen thousand dollars; Waldo, fourteen thousand six hundred dollars; York, twenty thousand dollars.

Approved March 14, 1883.

Chapter 137.

Resolves in relation to the publication of the Revised Statutes.

Revised statutes,
publication of.

Resolved, That as soon as may be after the close of the present session of the legislature, the governor and council may contract with the responsible person or persons making the lowest bid, for the publication of the revised statutes of the state, with the constitution thereof, the constitution of the United States, the repealing act, the reference index tables of the revising commissioner, and such additional matter as may be necessary, in style not inferior in size of page and width

of margin, printing, paper and binding, to that of the last edition of the public statutes of Massachusetts, but with the same size of type as that of the revised statutes of Maine of eighteen hundred and seventy-one; and the person or persons with whom such contract is made shall be thereby required to supply the state with twenty-five hundred copies of the statutes so published. The governor and council shall reserve the right to reject any and all bids; and they may make said contract upon such terms and conditions as they deem necessary for the interests of the state; and the time for completion of the contract and the retail price at which the statutes so published shall be sold, shall be limited and specified in the same contract. CHAP. 137

Resolved, That the secretary of state shall secure the copyright of said new revision for the use of the state; and no edition of the same shall be published by any person other than the contractor aforesaid, until the expiration of five years from the first day of July, in the year of our Lord one thousand eight hundred and eighty-three.

Secretary of state
to secure copy-
right.

Resolved, That two thousand copies of the revised statutes belonging to the state shall, when printed, be deposited by the publisher thereof, in the office of the secretary of state, who shall distribute the same as follows, namely: one copy to the governor and to each member of the executive council; one copy to the following public officers, for the use of the respective offices they fill, and the counties wherein they reside, one copy each, namely, the attorney general, the reporter of decisions, the treasurer of state, the secretary of state, the land agent, the adjutant general, the bank examiner, the superintendent of schools, the superintendent of public buildings, the railroad commissioners, the insurance commissioner, the fish commissioners, the liquor commissioner, the superintendent of the state reform school, the superintendent of the insane hospital, the warden of state prison, each of the justices of the supreme judicial and superior courts, each municipal or police court in the state, the clerks of courts, the county attorneys, sheriffs, judges of probate, registers of probate, registers of deeds, the court of county commissioners and the treasurers in each county; and to the several clerks of the cities, towns and plantations, one copy of each, for the use of said cities, towns and plantations; to each college and

Distribution of.

CHAP. 138 theological institution one copy, one copy to the Maine Historical Society, one copy to the Maine General Hospital, one copy to the State College of Agriculture and the Mechanic Arts, one copy to the secretary of the Board of Agriculture, one copy to the law library of each county in the state, one copy to the judge of the United States for the first circuit and to the judge of the United States for the district of Maine, one copy to the clerk and United States attorney for said district and the clerk of said circuit court; to the president and vice president of the United States, one copy each; to the secretary of state for the United States, four copies; to the secretary of state of each state and the secretary of each territory in the union, one copy each; to the library of congress, two copies; to the librarian of the state library, ten copies for the use of the library; and the remainder of said two thousand copies shall be deposited in the secretary of state's office to be distributed, from time to time, as the legislature may direct; and the several persons in this state, furnished with the revised statutes as aforesaid, excepting the governor, councillors, judges of the supreme judicial and superior courts, members and officers of the legislature, shall be responsible for the same and deliver it to his successor in office, to be continually kept for the use of the office.

Approved March 14, 1883.

Chapter 138.

Resolve making an appropriation to build a bridge across the Wytopitlock Stream,
County of Aroostook.

Bridge across
Wytopitlock
stream, in favor
of.

Resolved, That the sum of four hundred dollars be and hereby is appropriated to build a bridge across the Wytopitlock stream, and its branches on the military road, in township number one, in range three, county of Aroostook, said sum to be expended under the direction of the county commissioners of said county.

Approved March 14, 1883.

Chapter 139.

CHAP. 139

Resolve for building an addition to the State House.

Resolved, That the governor and council be authorized and requested to consult with architects and builders as to the best methods, the cost and the necessary time, of so adding to or enlarging the state house, as to furnish ample and convenient and fire proof apartments for the state library, and the records and documents of the various departments of the state government, and for the use and accommodation of the legislature and its committees, obtaining plans and specifications of such addition or enlargement, and to report to the next legislature, with such recommendations as they may adjudge best.

State House,
addition to,
relating to.

Approved March 14, 1883.

Chapter 140.

Resolve for the appointment of a committee of the Executive Council to solicit proposals for the location of a new Insane Hospital.

WHEREAS, The insane hospital is now full and overflowing with patients, and has been enlarged from time to time, so that it will soon be necessary to establish another insane hospital; therefore,

Preamble.

Resolved, That the governor and council appoint a committee from their own number to solicit proposals from cities, towns and individuals, as an inducement to the location of said hospital; to procure plans of said hospital, and an estimate of the cost of the same; to consider the best method for the state to adopt in its construction, and any other matter legitimately connected therewith, and submit a report upon the whole matter to the next legislature, during the first week of its session. The necessary expenses and disbursements of said committee shall be allowed from the contingent fund of the governor and council.

New Insane
Hospital, location
and building of.

Approved March 14, 1883.

CHAP. 141

Chapter 141.

Resolve in favor of Arthur L. Grant, of Hermon.

Arthur L. Grant,
in favor of.

Resolved, That there be paid to Arthur L. Grant, of Hermon, in the county of Penobscot, out of any money in the treasury not otherwise appropriated, the sum of six dollars per month, commencing on the first day of January, eighteen hundred and eighty-three, and continuing during the pleasure of the legislature, instead of the sum now provided by law.

Approved March 14, 1883.

Chapter 142.

Resolve in favor of Sprague and Son.

Sprague & Son,
in favor of.

Resolved, That the sum of six hundred seventy-three dollars and fifty cents be, and is hereby appropriated for the payment of the bill of Sprague and Son, for legislative advertising and for copies of the Daily Kennebec Journal furnished members and officers of this legislature.

Approved March 14, 1883.

Chapter 143.

Resolves authorizing a temporary loan for the year eighteen hundred and eighty-four.

Temporary loan
authorized.

Resolved, That to provide for the wants of the treasury, the treasurer of state be, and he hereby is authorized to procure, on the faith of the state, if he shall deem it necessary, at any time during the year eighteen hundred and eighty-four, a temporary loan of three hundred thousand dollars, or so much thereof as may be needed.

Resolved, That the treasurer of state is hereby authorized to give notes in behalf of the state, reimbursable within twenty-four months from the date hereof, for such portions of the loan hereby authorized as may be found necessary.

Approved March 14, 1883.

Chapter 144.**CHAP. 144**

Resolve in favor of adjustment of outstanding claims of Maine against United States Government.

Resolved, That the governor and council be, and they are hereby authorized and empowered forthwith to adopt the requisite measures for securing a final adjustment by the United States Government of all unsettled accounts with Maine, which accrued from the war for the suppression of the rebellion, eighteen hundred and sixty-one—eighteen hundred and sixty-six.

Claims against
United States,
adjustment of.

Approved March 14, 1883.

Chapter 145.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

Resolved, That the sum of fourteen thousand dollars be, and is hereby appropriated for the support of the Bath Military and Naval Orphan Asylum, of which there shall be paid the sum of seven thousand dollars in eighteen hundred and eighty-three, and seven thousand dollars in eighteen hundred and eighty-four.

Bath Military
and Naval
Orphan Asylum,
in favor of.

Approved March 14, 1883.

Chapter 146.

Resolve in favor of John C. Talbot.

Resolved, That the treasurer of state is hereby authorized and directed to pay to John C. Talbot, member of the fifty-ninth legislature, the sum of eighty-one dollars, the same being the amount due to him for travel and attendance, as allowed by law, as a member of the said fifty-ninth legislature.

John C. Talbot,
in favor of.

Approved March 14, 1883.

CHAP. 147**Chapter 147.**

Resolve in favor of the clerks to the committee on revision of the statutes.

Clerks of committee on revision of statutes, in favor of.

Resolved, That the treasurer of state is hereby authorized and directed to pay to the following persons the sums set against their names, for services as clerks to the committee on revision of the statutes, viz : Frank E. Southard, two hundred and forty-six dollars ; Bion Wilson, two hundred and thirty-two dollars ; Anson M. Goddard, forty-four dollars ; Charles Haggerty, ten dollars.

Approved March 14, 1883.

Chapter 148.

Resolve to furnish the State Library with certain volumes of Maine Reports.

Maine Reports, purchase of.

Resolved, That the state librarian is hereby authorized to purchase for the present use of the library twenty-five volumes each of the following Maine Reports: Volumes fifty-seven, fifty-eight, fifty-nine and sixty ; and the governor, with the advice and consent of the council, is hereby authorized to draw his warrant upon the treasurer for such sum as may be needed therefor, out of any moneys not otherwise appropriated.

Approved March 14, 1883.

Chapter 149.

Resolve fixing the salary of the Bank Examiner.

Salary of bank examiner, fixed.

Resolved, That the salary of the bank examiner shall be eighteen hundred dollars, annually, instead of the sum now allowed by law, and that sum shall be in full for all services and expenses.

Approved March 14, 1883.

Chapter 150.

CHAP. 150

Resolve in favor of the State Reform School.

Resolved, That five thousand dollars be, and hereby is appropriated to establish a mechanical school for the inmates of the state reform school during the next two years, which sum shall be expended for that purpose by the trustees of the state reform school under the direction of the governor and council.

Mechanical school for inmates of Reform School, appropriation for.

Approved March 15, 1883.

Chapter 151.

Resolve in favor of State Reform School.

Resolved, That there be and hereby is appropriated the sum of twenty-nine thousand dollars for the use of the reform school, of which shall be paid sixteen thousand dollars for the year eighteen hundred and eighty-three, three thousand dollars to pay outstanding bills, twelve thousand dollars to meet the current expenses, one thousand dollars for repairs on buildings, and the sum of thirteen thousand dollars shall be paid in the year eighteen hundred and eighty-four, twelve thousand dollars to meet the current expenses, and one thousand dollars for repairs.

Reform School, in favor of.

Approved March 15, 1883.

Chapter 152.

Resolve in favor of the town of Mayfield.

Resolved, That the sum of three hundred dollars be and is hereby appropriated out of the treasury, and expended under the direction of the county commissioners to aid in completing the road from Mayfield in Somerset county to Kingsbury Mills, in Piscataquis county as located by the county commissioners of Somerset and Piscataquis counties, provided, the town of Mayfield raise and cause to be expended on said

Road in Mayfield, to aid in completing.

CHAP. 153 road, to the satisfaction of the county commissioners of said county, the sum of one hundred and fifty dollars.

Approved March 15, 1883.

Chapter 153.

Resolve authorizing the Governor and Council to audit and allow the claim of Juliet Newell.

Juliet Newell,
claim of.

Resolved, That the governor and council are hereby authorized to examine the claim of Mrs. Juliet Newell, of Litchfield, for services rendered the state by her late husband in the late war, and allow such sum as shall be equitably due, and the sum of one hundred and sixty-five dollars is hereby appropriated for that purpose.

Approved March 15, 1883.

Chapter 154.

Resolve in favor of the publication of the early records of the state in the registry of deeds for York county.

Records of York
county, publica-
tion of.

Resolved, That if the Maine Historical society shall cause to be copied the earliest records in the registry of deeds for York county and have the same duly attested by the register of deeds for said county and printed in form similar to the first volume of Suffolk deeds, lately published by the city of Boston, each volume to consist of not less than six hundred pages with a full index to the same, the governor and council shall purchase for the state two hundred copies of each volume so published, not exceeding four in all, at a price not exceeding five dollars a volume and not more than one-half of the actual cost of the same, and that one copy of each volume be placed in each registry of deeds in the state.

Approved March 15, 1883.

Chapter 155.

Resolve in favor of the Bath Military and Naval Orphan Asylum.

Resolved, That the sum of twelve hundred dollars be appropriated to the Bath military and naval orphan asylum to pay the heirs of Jeremiah Robinson and William D. Crooker for a good and sufficient warrantee deed of land adjoining the asylum and used for the purposes of the asylum during the last ten years, said deed to be satisfactory to the governor and council.

Bath Military
and Naval
Orphan Asylum.
purchase of land
by.

Approved March 15, 1883.

Chapter 156.

Resolve in favor of the Secretary of the Senate for the payment of bills for advertising and newspapers for the Legislature and Council.

Resolved, That there be paid from the treasury for furnishing daily papers to members and officers of the senate, to members and officers of the house of representatives and to the executive council during the present session; for advertising for the legislature and executive council, and for postage and carrying mail, the sum of seven hundred and twenty-eight dollars and thirty-six cents, and that the secretary of the senate be authorized to pay the several parties with whom the foregoing bills were contracted.

Secretary of the
Senate, in favor
of.

Approved March 16, 1883.

Chapter 157.

Resolve in favor of an appropriation for repairs upon the State House.

Resolved, That for the purpose of repairs upon the State House, pointing the walls of the building and furnishing new boiler or boilers with the necessary repairs upon heating apparatus, there be and hereby is appropriated the sum of three

State house,
appropriation for
repairs on.

CHAP. 158 thousand dollars, the whole, or a portion of the same, to be expended under the direction of the governor and council.

Approved March 15, 1883.

Chapter 158.

Resolves in relation to the completion of the fourth revision of the general and public laws, and appointing a commission therefor.

C. W. Goddard
authorized to
complete revision
of statutes.

Resolved, That Charles W. Goddard of Portland be appointed a commissioner to complete the revision of the general and public laws of the State by the incorporation of the public laws of the present session, correcting the head notes and marginal annotations of all the sections affected by the legislature of eighteen hundred and eighty-three, and preparing head notes and marginal notes and references for the new sections; adding references to all appropriate cases reported in the seventy-third volume of Maine Reports and subsequent volumes, and in the one hundred and fourth volume of the United States Reports and subsequent volumes; also a copious and complete general index, and reference indexes and reference index tables of all new sections, including all tables contained in the present draft of the fourth revision reported by the commissioner, with suitable correction of the indexes and tables, affected by the legislature of eighteen hundred and eighty-three; and carefully to superintend the printing of said revision, or report the same in print, with additions that may be made under the provisions of these resolves.

Committee to
supervise the
work.

Resolved, That the foregoing work be performed by said commissioner under the supervision of T. H. Wentworth, William M. Rust, Weston Thompson, A. M. Spear, J. E. Moore, H. M. Bearce, G. A. Emery, John B. Donovan, O. G. Hall, and H. M. Heath, members of the present committee of the legislature on the revision of the statutes, who are hereby constituted a commission to sit during the recess of the legislature for that purpose, and to continue the work of said committee of the legislature for the completion of their work and the perfection of the revision.

Resolved, That the governor and council are hereby authorized to audit and cause to be paid, the services and expenses of said Goddard and said commissioners, and of such clerks as it may be necessary for said Goddard to employ.

CHAP. 159

Expenses of,
provided for.

Resolved, That if said Goddard declines said duty, or becomes unable to perform it, the governor and council shall appoint some other suitable person to fill the vacancy, and do the duties herein prescribed for said Goddard.

Vacancy, how
filled.

Approved March 15, 1883.

Chapter 159.

Resolve to amend the first of the resolves of the sixty-first Legislature in relation to the publication of the Revised Statutes.

Resolved, That the first of the resolves passed by the sixty-first legislature entitled "resolves in relation to the publication of the revised statutes," is hereby amended by striking out from the first and second lines of said first resolves the words "after the close of the present session of the legislature," so that said first resolve, as amended, shall read as follows, viz :

Resolve
amended.

Resolved, That as soon as may be, the governor and council may contract with the responsible person or persons making the lowest bid, for the publication of the revised statutes of the state, with the constitution thereof, the constitution of the United States, the repealing act, the reference index tables of the revising commissioner, and such additional matter as may be necessary, in style not inferior in size of page and width of margin, printing, paper and binding; to that of the last edition of the public statutes of Massachusetts, but with the same size of type as that of the revised statutes of Maine of eighteen hundred and seventy-one; and the person or persons with whom such contract is made shall be thereby required to supply the state with twenty-five hundred copies of the statutes so published. The governor and council shall reserve the right to reject any and all bids; and they may make said contract upon such terms and conditions as they deem necessary for the interests of the state; and

Governor and
council author-
ized to contract
for publication of
revised statutes.

CHAP. 160 the time for completion of the contract and the retail price at which the statutes so published shall be sold, shall be limited and specified in the same contract.'

Approved March 15, 1883.

Chapter 160.

Resolve authorizing five hundred additional copies of the fourth revision of the Public Laws.

Additional copies
of revised statutes
to be printed.

Resolved, That the whole number of copies of the new revision of the statutes be three thousand instead of twenty-five hundred as provided in the resolve authorizing the governor and council to receive proposals therefor.

Approved March 15, 1883.

Chapter 161.

Resolve in favor of the State Prison.

State Prison, in
favor of.

Resolved, That the sum of ten thousand dollars be and is hereby appropriated for the benefit of the state prison, for general expenses and transaction of business, for the year eighteen hundred and eighty-four, to be expended under the direction of the warden.

Approved March 15, 1883.

PAY ROLL of the members and officers of the House of the Sixty-First Legislature, at the session held at Augusta, commencing on the third day of January, ending on the fifteenth day of March, in the year of our Lord one thousand eight hundred and eighty-three.

COUNTY OF ANDROSCOGGIN.

TOWNS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
Auburn	Benjamin J. Hill.....	65	150	\$163 00
	Arthur B. Latham.....	70	150	164 00
Lewiston	Wallace H. White.....	65	150	163 00
	Orin A. Horr	65	150	163 00
	Charles S. Newell.....	65	150	163 00
Poland	John S. Briggs.....	85	150	167 00
Turner	H. W. Copeland.....	75	150	165 00
Wales	Thomas W. Ham	70	150	164 00
Webster	Roscoe D. Y. Philbrook	65	150	163 00
				1,475 00

COUNTY OF AROOSTOOK.

Frenchville	James W. Bolton.....	390	150	228 00
Fort Fairfield	Jesse Drew.....	300	150	210 00
Grand Isle.....	Alexis Cyr.....	375	150	225 00
Houlton	Llewellyn Powers.....	240	150	198 00
Orient	C. L. Hodnett.....	180	150	186 00
Presque Isle	Thomas H. Phair	350	150	220 00
Sherman.....	James W. Ambrose...	175	150	185 00
				1,452 00

COUNTY OF CUMBERLAND.

Bridgton	George E. Knapp.....	120	150	174 00
Brunswick.....	Weston Thompson....	35	150	157 00
Casco	William M. Cook.....	100	150	170 00
Cape Elizabeth...	Daniel Strout	70	150	164 00
Deering	George B. Leavitt....	65	150	163 00
Freeport.....	John C. Kendall.....	45	150	159 00
Falmouth.....	Frederick W. Talbot..	75	150	165 00
Gorham	Stephen Hinkley.....	80	150	166 00
Harpswell	Albert T. Trufant.....	65	150	163 00

COUNTY OF CUMBERLAND—CONCLUDED.

TOWNS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
New Gloucester...	Charles P. Haskell	90	150	\$168 00
Portland.....	Charles P. Mattocks...	65	150	163 00
	Clarence Hale.....	65	150	163 00
	Elias Thomas.....	65	150	163 00
	Orville K. Gerrish....	65	150	163 00
	Daniel W. Ames.....	65	150	163 00
Raymond	Henry J. Lane.....	90	150	168 00
Standish	Orville S. Sanborn....	90	150	168 00
Westbrook.....	Joseph Dunnell.....	75	150	165 00
Windham	John M. White.....	80	150	166 00
Yarmouth.....	Lorenzo L. Shaw	55	150	161 00
				3,292 00

COUNTY OF FRANKLIN.

Chesterville.....	David Allen	25	150	155 00
Farmington	J. J. Linscott.....	100	150	170 00
Jay.....	George W. Stone.....	90	150	168 00
New Vineyard....	Edmund R. Luce.....	110	150	172 00
Phillips.....	Daniel C. Leavitt.....	120	150	174 00
				839 00

COUNTY OF HANCOCK.

Brooklin.	John G. Reed.....	195	150	189 00
Bucksport	Parker Spofford	95	150	169 00
Castine	Alfred E. Ives.....	165	150	183 00
Dedham	Pascal P. Gilmore....	90	150	168 00
Deer Isle	Charles A. Spofford...	200	150	190 00
Eastbrook.....	John D. Crimin.....	140	150	178 00
Eden.....	Serenus H. Rodick....	225	150	195 00
Ellsworth	James T. Cushman....	100	150	170 00
Hancock	Elliot L. Stratton....	220	150	194 00
				1,636 00

COUNTY OF KENNEBEC.

TOWNS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
Augusta.....	J. Manchester Haynes, <i>Speaker.</i>	5	300	\$301 00
	Herbert M. Heath	5	150	151 00
China	Elijah D. Jepson.....	20	150	154 00
Clinton	William G. Foster....	40	150	158 00
Gardiner	David Wentworth.....	10	150	152 00
Hallowell.....	Albert M. Spear.....	5	150	151 00
Litchfield	James E. Chase.....	30	150	156 00
Pittston.....	Moses J. Donnell.....	15	150	153 00
Readfield	Francis A. Robinson...	15	150	153 00
Sidney.....	Lorin B. Ward.....	10	150	152 00
Vassalboro'	Edwin C. Barrows....	10	150	152 00
Waterville.....	Nathaniel Meader.....	20	150	154 00
Wayne.....	Alfred E. Johnson....	20	150	154 00
				2,141 00

COUNTY OF KNOX.

Cushing	Francis C. Hathorn....	100	150	170 00
Camden.....	Hosea B. Eaton.....	100	150	170 00
Rockland	John S. Case.....	90	150	168 00
	Oliver G. Hall	90	150	168 00
	As Speaker <i>pro tem.</i>			20 00
Thomaston	Joseph E. Moore	90	150	168 00
Vinalhaven.....	Levi W. Smith.....	115	150	173 00
Warren	Edward S. Bucklin....	90	150	168 00
Washington	Stephen S. Bartlett ...	100	150	170 00
				1,375 00

COUNTY OF LINCOLN.

Alna.....	Daniel W. Hiscock....	60	150	162 00
Boothbay	Alden Blossom.....	65	150	163 00
Bristol	David Chamberlain....	85	150	167 00
Dresden.....	Charles E. Allen.....	15	150	153 00
Waldoboro'	John H. Jameson.....	80	150	166 00
Whitefield	Aaron B. Noyes	20	150	154 00
				965 00

COUNTY OF OXFORD.

TOWNS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
Bethel	Charles M. Kimball...	125	150	\$175 00
Hiram.....	Charles E. Hubbard...	100	150	170 00
Norway	Henry M. Bearce.....	90	150	168 00
Oxford	Granville L. Tracy....	90	150	168 00
Paris	George A. Wilson....	90	150	168 00
Roxbury.....	Randall L. Taylor....	140	150	178 00
Stow	Stephen Chandler.....	135	150	177 00
Sumner	Solomon F. Stetson...	100	150	170 00
				1,374 00

COUNTY OF PENOBSCOT.

Bangor	Benjamin B. Thatcher.	75	150	165 00
	Charles Hamlin.....	75	150	165 00
	Hiram H. Fogg.....	75	150	165 00
Bradford	Augustine H. Houston.	95	150	169 00
Dexter	Benjamin F. Eldridge.	70	150	164 00
Exeter	George Oak.....	65	150	163 00
Hampden	Benjamin L. Simpson..	85	150	167 00
Hermion	Charles E. Phillips....	85	150	167 00
Kenduskeag.....	Martin V. B. Piper....	90	150	168 00
Lowell	George H. Fox.....	120	150	174 00
Lincoln	Joseph Burland.....	120	150	174 00
Milford	Lewis Simpson.....	90	150	168 00
Newburgh	Francis O. J. S. Hill..	65	150	163 00
Oldtown	Joseph L. Smith.....	90	150	168 00
Orrington.....	Charles D. Chapman ..	90	150	168 00
Orono	Eben Webster.....	80	150	166 00
Plymouth	Sanford Chick.....	60	150	162 00
Winn	Frank Gilman.....	130	150	176 00
				3,012 00

COUNTY OF PISCATAQUIS.

Abbot	Orin J. Doyen	145	150	179 00
Sebec	Jonathan A. Chase....	135	150	177 00
Parkman	Charles N. Rand.....	150	150	180 00
				536 00

COUNTY OF SAGADAHOC.

TOWNS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
Bath	William Rogers.....	50	150	\$160 00
Bowdoinham	Robert D. Spear.....	35	150	157 00
Richmond	Solon White.....	20	150	154 00
Woolwich	Edward H. Carleton...	50	150	160 00
				631 00

COUNTY OF SOMERSET.

Bingham	Sewall A. Dinsmore...	65	150	163 00
Cornville	Joel W. Hobart.....	45	150	159 00
Detroit	Eben P. Files.....	45	150	159 00
Fairfield	Stephen A. Nye.....	20	150	154 00
Pittsfield	William Dobson.....	40	150	158 00
St. Albans.....	Stuart H. Goodwin...	55	150	161 00
Starks.....	Anthony Brackett.....	60	150	162 00
Solon.....	Charles B. McIntire...	65	150	163 00
				1,279 00

COUNTY OF WALDO.

Belfast	Nathan F. Houston....	65	150	163 00
Frankfort	Hayward Peirce	75	150	165 00
Jackson	Ephraim D. Tasker...	75	150	165 00
Liberty	Alonzo A. Brown.....	80	150	166 00
Lincolntonville.....	George W. Young.....	80	150	166 00
Morrill	Barak A. Hatch	75	150	165 00
Palermo	John S. Ayer.....	25	150	155 00
Stockton	William Smith.....	80	150	166 00
				1,311 00

COUNTY OF WASHINGTON.

Calais	Edward C. Goodnow...	295	150	200 00
Charlotte	Daniel J. Fisher.....	310	150	212 00
Cherryfield.....	William Freeman.....	275	150	205 00
Columbia	Stephen S. Leighton ..	285	150	207 00
Cutler.....	James T. Matthews ...	330	150	216 00
Eastport	Benjamin F. Kilby...	265	150	203 00
East Machias.....	John C. Talbot.....	315	150	213 00
Jonesboro'	Charles L. Smith	150	150	180 00
Robbinston	John M. Smith.....	340	150	218 00
Vanceboro'	Elisha T. Holbrook ...	200	150	190 00
				2,053 00

COUNTY OF YORK.

TOWNS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
Alfred.....	John Hall	100	150	\$170 00
Biddeford.....	Charles H. Prescott...	80	150	166 00
	John B. Donovan.....	80	150	166 00
Cornish.....	George H. Milliken...	100	150	170 00
Kennebunkport...	Charles E. Perkins....	95	150	169 00
Kittery.....	Dennis M. Shapleigh..	140	150	178 00
Lebanon.....	Charles D. Fall.....	125	150	175 00
Limington.....	Winfield S. Small.....	100	150	170 00
Hollis.....	Cyril P. Harmon.....	90	150	168 00
Newfield.....	Isaac M. Trafton.....	110	150	172 00
North Berwick...	Moses Wentworth.....	125	150	175 00
Saco.....	George A. Emery.....	80	150	166 00
South Berwick...	George F. Goodwin...	120	150	174 00
Waterboro'	Isaac N. Deering.....	100	150	170 00
Wells.....	Lamont A. Stevens ...	100	150	170 00
				2,559 00

OFFICERS.

Clerk.....	Oramandal Smith.....	25	600	605 00
Assistant Clerk...	Frank L. Patten.....	50	300	310 00
	For extra services as Clerk		25	25 00
	Edwin C. Burleigh....		50	50 00
	As Assistant Clerk..		35	35 00
Messenger	Charles H. Gatchell...	70	150	164 00
	For extra work		35	35 00
1st Ass't Messenger	J. W. Phinney	60	150	162 00
	For extra work		35	35 00
2d Ass't Messenger	William J. Smith.....	50	150	160 00
	For extra work.....		35	35 00
Folder	John F. Chase.....	10	150	152 00
	For extra work.....		35	35 00
Chaplains.....	Rev. John Allen.....	100	2	22 00
	D. B. Randall...	65	150	163 00
Chaplains <i>pro tem.</i>	David Allen.....		4	16 00
	Alfred E. Ives....		2	
	F. A. Robinson...		4	
	Granville L. Tracy..		2	
	Roscoe Sanderson		4	
Pages	Frank H. Locke.....	5	75	76 00
	Llewellyn Cooper.....	5	75	76 00
	Joseph Campbell	5	6	7 00
Official Reporter..	Frank A. Small.....	5	300	301 00
				2,429 00

RECAPITULATION.

Androscoggin	\$1,475 00
Aroostook	1,452 00
Cumberland	3,292 00
Franklin	839 00
Hancock	1,636 00
Kennebec	2,141 00
Knox	1,375 00
Lincoln.....	965 00
Oxford	1,374 00
Penobscot	3,012 00
Piscataquis	536 00
Sagadahoc.....	631 00
Somerset.....	1,279 00
Waldo	1,311 00
Washington	2,053 00
York	2,559 00
	<hr/>
	25,920 00
Officers	2,429 00
	<hr/>
	28,359 00

Chapter 162.

Resolve on the Pay Roll of the House

Resolved, That there be paid out of the treasury of the state to the several persons named in the foregoing pay roll the sums set against their names respectively, amounting to the sum of twenty-eight thousand three hundred and fifty-nine dollars.

Pay Roll of the House.

Approved March 15, 1883.

PAY ROLL of the members and officers of the Senate of the Sixty-First Legislature, at the session held at Augusta, commencing on the third day of January, and ending on the fifteenth day of March, in the year of our Lord one thousand eight hundred and eighty-three.

MEMBERS.

DISTRICTS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
<i>First</i>	Ernest M. Goodall	95	150	\$169 00
	Barak Maxwell	100	150	170 00
	Joseph Smith, 4th	80	150	166 00
<i>Second</i>	Charles McLaughlin...	65	150	163 00
	Tobias Lord	90	150	168 00
	Albert F. Nutting.....	90	150	168 00
	Stephen J. Young	35	150	157 00
	As President <i>pro tem.</i>		4	4 00
<i>Third</i>	James W. Clark	145	150	179 00
	Eckley T. Stearns	130	150	176 00
<i>Fourth</i>	William D. Pennell ...	65	150	163 00
	William D. Roak	80	150	166 00
<i>Fifth</i>	Philip H. Stubbs	115	150	173 00
<i>Sixth</i>	John H. Kimball.....	40	150	158 00
<i>Seventh</i>	Francis E. Heath.....	20	150	154 00
	George E. Weeks.....	5	150	151 00
	As President <i>pro tem.</i>		4	4 00
<i>Eighth</i>	Orin S. Haskell.....	40	150	158 00
	Virgil R. Connor	25	150	155 00
<i>Ninth</i>	Augustus G. Lebroke..	130	150	176 00
<i>Tenth</i>	John L. Cutler	75	300	315 00
	<i>President.</i>			
	James Weymouth	90	150	168 00
	Thomas H. Wentworth	95	150	169 00
	Philip Wilson.....	50	150	160 00

MEMBERS OF THE SENATE—Concluded.

DISTRICTS.	NAMES.	Miles travel.	Amount for attendance.	Am't for travel and attendance.
<i>Eleventh</i>	Sebastian S. Marble ...	85	150	\$167 00
<i>Twelfth</i>	Stephen J. Gushee ...	95	150	169 00
<i>Thirteenth</i>	James R. Taber	50	150	160 00
	William M. Rust	65	150	163 00
	As President <i>pro tem.</i>		4	4 00
<i>Fourteenth</i>	Oliver P. Bragdon	135	150	177 00
	Guy W. McAllister ...	90	150	168 00
<i>Fifteenth</i>	Voranus L. Coffin	280	150	206 00
	Seward B. Hume	265	150	203 00
<i>Sixteenth</i>	Elisha E. Parkhurst ...	345	150	219 00
				5,426 00

OFFICERS.

Secretary	Charles W. Tilden	10	600	602 00
	Extra for filing and indexing			100 00
Ass't Secretary...	George E. Minot	20	300	304 00
	Charles K. Tilden		10	10 00
Messenger	Charles H. Lovejoy ...	20	150	154 00
	Extra service		25	25 00
	Extra service		35	35 00
Ass't Messenger..	F. E. Voter	100	150	170 00
	Extra		35	35 00
Folder	A. B. T. Chadbourne..	80	150	166 00
	Extra		25	25 00
Page	Ernest H. Wheeler ...	20	100	104 00
	Extra		20	20 00
Reporter	Edgar L. Warren			300 00
				2,050 00

CHAPLAINS.

RESIDENCE.	NAMES.	No. of days.	Amount for attendance.
Augusta.....	Rev. Mr. Sargent	3	\$6 00
	“ Thatcher	3	6 00
	“ Tilden	3	6 00
	“ Sanderson...	3	6 00
	“ White	3	6 00
	“ Penney	3	6 00
	“ Upjohn	2	4 00
	Rev. Dr. Quinby	1	2 00
Hallowell	“ Ricker	3	6 00
	Rev. Mr. Martin	3	6 00
	“ White	1	2 00
	“ McLaughlin .	2	4 00
Gardiner	Rev. Dr. Butler.....	1	2 00
	Rev. Mr. Vail.....	3	6 00
	“ Bradley.....	1	2 00
	“ Minard	3	6 00
House	“ Davis	1	2 00
	“ Randall	8	16 00
Castine	“ Ives	1	2 00
Readfield	“ Robinson...	1	2 00
Chesterville	“ Allen	3	6 00
			<hr/> 104 00

RECAPITULATION.

Members	\$5,426 00
Officers	2,050 00
Chaplains	104 00
<hr/>	
7,580 00	

Chapter 163.

Resolve on the Pay roll of the Senate.

Pay Roll of the
Senate.

Resolved, That there be paid out of the treasury of the state to the several persons named in the foregoing pay roll, the sums set against their names respectively, amounting in the whole to the sum of seven thousand five hundred and eighty dollars.

Approved March 15, 1883.

STATE OF MAINE.

SECRETARY OF STATE'S OFFICE, }
Augusta, June 1, 1883. }

I hereby certify that the Acts and Resolves contained in this volume have been carefully compared with the originals, deposited in this office, and appear to be correctly printed.

I further certify that the act entitled, "An Act fixing a time when other acts and resolves shall take effect," was the last act approved by the Governor before the adjournment of the Sixty-First Legislature to a day certain; all the other acts and resolves, numbering three hundred and fifty-one Acts and ninety-seven Resolves, having been approved by him prior to his approval of said act.

JOSEPH O. SMITH,
Secretary of State.

NOTE.—The Sixty-First Legislature of Maine convened on the third day of January, and on the fifteenth day of March adjourned, to meet on the twenty-ninth day of August, A. D. 1883.

STATE OF MAINE.

SECRETARY OF STATE'S OFFICE, }
Augusta, August 29, 1883. }

I hereby certify that the foregoing acts, passed at the adjourned session, August 29th, have been carefully compared with the originals, deposited in this office, and appear to be correctly printed.

JOSEPH O. SMITH,

Secretary of State.

NOTE.—The Sixty-First Legislature of Maine met in adjourned session the twenty-ninth day of August, A. D. 1883, and adjourned finally, the same day.

GOVERNOR ROBIE'S ADDRESS.

Gentlemen of the Senate and House of Representatives:

We have assembled under the sanction of constitutional authority for the purpose of consulting together on the promotion of the highest and best interests of the State of Maine. As fit representatives of an intelligent constituency, I have the honor to welcome you to the Capitol of the State, and congratulate you that you hold a position which has heretofore been occupied by worthy and distinguished legislators.

It is with feelings of personal pride that I acknowledge the high honor which has been conferred upon me by the independent suffrage of a majority of the people of this State. I have accepted the position of Chief Executive, and taken the oaths of office with a profound sense of its responsibility and of my incapacity to meet fully the expectations of the people, but this feeling is supplemented by a desire and determination "to act well my part," to the best of my ability. I, therefore, respectfully claim the indulgence of all.

The real object of government has been clearly defined in the preamble of our National and State constitutions; let our acts be in accordance with the wise teachings and principles therein expressed; and from the purposes indicated, let there be no departure.

Before entering upon our Legislative duties, it becomes us to follow venerated customs, and acknowledge with grateful hearts our obligations to the Supreme Ruler of the Universe; to thank Him devoutly for the manifold blessings bestowed upon our State in the past, and to humbly implore Divine aid and guidance for the future. The obligations and oaths which we have taken under the constitution, should render our responsibilities a matter of constant solicitude; that there should be an exact and just observance of all those principles of economy and demands of justice which constitute and

measure wise legislation. One of the early Governors of the "District of Maine," mentioned "piety, justice, moderation, temperance, industry and frugality as the essentials of good government." Let us not fail to heed and follow the wise teachings of our fathers, "for they left deep footprints wherever they trod."

Since the adjournment of the last Legislature, the American people have passed through the trying experiences of a Divine dispensation which has before visited this nation. The wisdom of such repeated inflictions baffles man's comprehension; but we calmly submit, since the responsibility rests with a Supreme Power, whose acts are far beyond human understanding. President Garfield was a representative American; commencing at the lowest round of the ladder, he reached the highest summit of earthly honor. On his funeral day, the people of Maine stood thoughtfully beneath the shadow of a national bereavement and rendered their tribute of sincerest sorrow for the loss of their beloved President. Then, as when Washington, Jackson and Lincoln died, partisan feeling was forgotten in universal grief.

It is one of the out-growths of civilization and education, the leaven which preserves our nation, not to measure personal character by the standard of partisanship, but justly to award to all truly great men the meed which belongs to conscientious acts of patriotism and lofty statesmanship. It is the calm and reflective judgment, which is rendered after passion, selfishness and partisan criticism have lost their influence, that makes up a just and reliable history of events and writes the true biography of great men. Let us be ever ready to perpetuate the memory of our great leaders by suitable and enduring memorials and monuments.

THE GROWTH AND RESOURCES OF THE STATE.

In order to fully appreciate the obligation we owe to the public, it becomes a paramount duty that we should understand the capacity and resources of our State, since its laws and general welfare are to be the subject of special study. We have recently entered upon a new decade, and the work incident to making a new census has been completed. A vast amount of important statistical facts relating to the material interests of the country and State has been brought to light

since the last session of the Legislature. We draw from the information thus gathered, interesting and important conclusions; and by a comparison of our substantial interests in the present and past, we have sufficient reason to rejoice in our general increase in population, advancement in wealth, education, morals, and all those elements of material power which make a State strong and its people prosperous and happy.

The changes that have taken place in this country within the period of less than three centuries are, indeed, marvelous. In 1607, civilization first dawned on the shores of New England and made Pemaquid famous in historic lore. In December, 1620, our Pilgrim Fathers immortalized Plymouth Rock on the shore of the ocean. Brave men, resolute women with self-reliant children, stood together upon a lonely shore and gazed upon a gloomy and unbroken wilderness. They landed on and occupied a country where everything was prehistoric. Nothing of importance existed of a traditional character, and the simple bow and arrow furnished the only evidence of a capacity for future enlightenment. To use their own language: "They left their own beautiful homes to plant poor cabins in the wilderness." They desired to found a free agricultural State, where Christianity would naturally find its greatest security and perform its greatest work. Daniel Webster has truly said: "Our forefathers sought our shores under no high wrought spirit of commercial adventure, no love of gold, no mixture of purpose warlike or hostile to any human being; accustomed, in their own land, to no more than a plain country life and the innocent trade of husbandry, they set the example of colonizing New England and formed the mould of the civil and religious character of its inhabitants." For this they first planted the church, and by its side immediately reared the school-house; and in these two institutions all our greatness had its origin. Under an equal yoke, they were the advance propelling power, which has opened America to civilization and freedom. Now, fortunately for us, with a population of over fifty millions, and rapidly increasing, on the corner of the cross-road leading to the village centre, may be seen the same New England school-house, and nestling in the valley, the modest church with its spire pointing to the azure sky, where the religion and morals of our fathers are taught. Wherever these sentinels

have appeared as the advance guard of progress, good government, art and science have moved forward and asserted control. Let these conspicuous elements of a free government continue to be our national birthright, and whatever of higher education, general refinement and more enlarged culture we can add thereto, we thereby simply do our duty. We shall thus transmit a rich inheritance to the future occupants of American soil.

The information that we gather from the statistics of agriculture is very gratifying, and furnishes conclusive proof that the vast increase of our population belongs to the producing classes. Along the Atlantic coast where commerce, manufactures and mercantile pursuits are largely represented, population shows an increase, during the last decade, of only 13.6 per centum, while the central belt and the trans-Mississippi region, which represent the farming and producing interests of the country, have increased in population 86.4 per centum. The acres cultivated in the United States have nearly doubled in ten years, and the total amount of cereals produced in 1879 was 2,697,737,920 bushels over the crop of 1869, or nearly 100 per cent. increase. In 1860 we produced five and one-half bushels of wheat to each inhabitant; it is now nine bushels, and is increasing in the same ratio. Formerly, France was king in cereal productions; now the United States leads the column and is prospectively the most powerful of all nations of the globe. There are over four million farms in the United States—an increase of fifty-one per cent during the past decade. The increase of the number of farms is relatively much larger in the Southern States, where formerly immense landed estates were owned by single individuals.

The census of the district of Maine in the year 1800, gave a population of 151,719—which showed an unexpected increase of over 55 per cent between that date and the first enumeration of its inhabitants under the Federal constitution in 1790. In the year 1820, when Maine became a sovereign and independent State in the Union, the population was unexpectedly large, being 298,269. For the four following decades from 1820, the decennial increase of population was as follows: In 1830, 33 per cent; in 1840, 26 per cent; in 1850, 16 per cent; in 1860, 8 per cent; so that the popu-

lation that year was 628,279. In 1870 the census showed an actual loss of 1364 inhabitants. The result gave rise to anxiety in regard to the future, and speculation in regard to its causes. It was, however, explained that the great loss of life among the brave soldiers of Maine during the civil war and other circumstances had contributed to this result. In 1870, increase of population again commenced, and we now have a population of 648,936, which shows a gain of 22,000 over the census of 1870, a gain of 4 per cent over the last census, and an addition of 118 per cent since 1819.

The valuation of the real and personal property of the State, measures its aggregate wealth, and the large and rapid increase that we have made in valuation (constantly advancing the past sixty years) represents better than population, the material condition of our people and the general prosperity of the State. In the year 1820, when Maine became an independent State, our total valuation was only \$20,962,778; in 1830, \$28,807,687; in 1840, \$69,246,288; in 1850, \$100,037,964; in 1860, \$162,158,581; in 1870, \$224,822,800; in 1880, our valuation reached the sum of \$235,978,716, an increase of 876 per cent since 1820.

The increase of the number of miles of railroad in Maine during the past decade indicates a condition of increasing prosperity. In 1870 we had 786-6 miles of railroads; we now have 1013 miles. The railroad has been extended into Aroostook county, "the garden of Maine," bringing the productions of that rich soil into the great markets of the country. This has contributed very much towards increasing our population and valuation. In this connection, I can but congratulate the people of Maine on the excellent management and condition of our railroads. For further particulars and statistics, I refer you to the report of the Railroad Commissioners.

The census of 1880 showed that there were in the State of Maine, 64,309 farms, an increase of 4,495, or 8 per cent during the last decade, and that 60,528 of these were owned by the farmers who occupied them, the balance being rented for money or worked on shares. This certainly precludes the possibility of any immediate danger from non-ownership of land, or from a landed aristocracy.

The lumbering industry of the "Pine Tree State" has a high claim on our consideration. The number of establishments devoted to this industry are 848, employing 9,836 men, and the total value of all products in 1880 was \$7,933,868. Maine holds the rank of seventh State in the Union in the value of her lumber products, the States of Michigan, Pennsylvania, Wisconsin, New York, Ohio and Indiana, in the order named, taking the lead. The Forestry Bulletin from the Department of the Interior estimates the merchantable pine standing on the large rivers and tributaries of our State, May 31st, 1880 at 475,000,000 feet, and spruce, 5,000,000,000 feet. Consequently with wise regulations for its use, Maine has the prospect of a prosperous future for many years in its lumber as a source of industry and wealth.

The ocean, river, and lake fisheries of Maine are becoming an increasing industry. The industrious and hardy population of fishermen on the banks of our rivers, and especially those who gain a livelihood amid the dangers incident to the high seas, add much to the productive wealth of the State, and are entitled to the grateful consideration of every citizen. Maine leads the column and stands at the head of the great fishing industry of the country. In 1880, the number of persons employed in the industry was 12,662; the number of vessels engaged was 606; the capital invested was \$3,454,302; value of fishing products in marketable condition was \$3,739,224. The value of the same products in 1870 was only \$979,610.

It is estimated that the number of our population who are largely dependent upon the fishing industry for a livelihood will not fall short of 48,000 men, women and children, which is equal to about 7½ per cent of our population, and when, to the result of this labor are added the expense of transportation and profits of handling, and the product is in the hands of the consumer, it represents an industry of nearly \$7,000,000.

The gathering and storing of ice is comparatively a new industry in Maine, but is a profitable one, and gives employment to many. The ice harvest on the Kennebec river and vicinity in the year 1880, amounted to 1,000,000 tons, an increase of 750,000 tons over 1870.

The quarrying, cutting, and shipping of granite in the hands of our enterprising citizens has become one of the most

important industries and sources of wealth in the State. In this industry Maine leads. There is scarcely a large city in the Union whose finest public buildings and most costly monuments do not display the richness of our stone, and the skill of our artisans.

MANUFACTURES.

The statistics of manufacturers, which are furnished by the Census Bulletin, show a marvelous increase in this industry. The increase in the production of agricultural implements surpasses every other branch. There are now two thousand establishments, employing forty thousand mechanics, with a capital of \$62,109,668, and turning out implements for our farms valued at \$68,640,486. The number of manufacturing establishments in the United States, 253,840; capital, \$2,790,223,506; persons employed, 2,737,950; wages paid, \$947,919,674; value of products over five billions. Maine stands well in the list, and is becoming a leading manufacturing State, her relative position being about the fifteenth in the Union. The number of manufacturing establishments in Maine are 4,481; capital, \$49,984,571; number of persons employed, 52,948; amount of wages paid yearly, \$13,621,538; value of materials, \$51,119,286; value of products, \$79,825,393. This army of mechanics and laborers, and the capital invested, form an interest which calls for more than ordinary care and judgment, in order that the rights of labor and capital should be regulated with regard to security and justice. That the great interests of the country be properly protected, and the wages of the laborer made remunerative to himself, should be the true end of legislation.

The manufactories of our State are constantly increasing, and statistics show that every branch of mechanical industry is making satisfactory progress. The beautiful cities of Lewiston, Auburn, Biddeford, and the towns of Waterville and Westbrook may soon have their rivals in other portions of the State. The manufacture of cotton takes the lead. There are but three States in the Union that use more bales of cotton, but four work more spindles, and but four employ more persons in the cotton mills, than the State of Maine. The growth of this department of industry is shown by the following statistics: In 1870 the number of looms in the State was 9,902; the number of spindles, 459,772; the

number of bales of cotton used was 46,000; the number of persons employed, 9,439. In 1880 the number of looms was 15,978; spindles, 695,924; bales of cotton, 112,381; employes, 11,864.

AGRICULTURE.

A great statesman once said: "Agriculture feeds us, it clothes us, without it we could not have manufactures, we should not have commerce; these all stand together like pillars in a cluster, the largest in the centre, that largest is Agriculture." The State of Maine furnishes all the natural requisites and advantages for successful agriculture, unlimited commerce and extensive manufactures. It has an area of 35,000 square miles or 22,400,000 acres; its settled area covers only one-half of its territory, and measures 17,895 square miles. A large part of this territory is sparsely settled, 6,000 square miles of its inhabited area having only from two to six inhabitants to a square mile. We admit there are many square miles of land which would require extensive drainage and costly cultivation for a livelihood, but there is little land so barren that intelligent labor cannot make it valuable, and there are thousands of acres of unimproved land in the State of Maine, with as deep and rich a soil as can be found elsewhere, where all the staple agricultural products of New England can be raised, and this with the raising of sheep and other stock would furnish ample reward to a skilful and industrious farmer. We invite those seeking new homes to examine the unimproved and rich farming lands of Aroostook county and other portions of our State, now near the markets in consequence of new railroad facilities. In cereal productions, Maine makes a good record. The Department of Agriculture informs us that the soil of Maine produces more buckwheat per acre than that of any other State. In the yield of corn to the acre, only six States in the Union make a better exhibit, the average being thirty-four bushels per acre, which is only five bushels behind Michigan, the State having the largest production. In rye, Maine is the tenth State, and in potatoes the same; but in hay, it is the thirtieth State in its yield per acre, which is evidence that more cultivation and fertilizers are needed on our extended and wasted fields. In the year 1879, Maine produced per acre 16 7-100 per cent. more corn and 4 6-10

more wheat than the average yield of these crops in the United States. In all these staple productions of the farm, Maine is ahead of Vermont and Rhode Island of the East, and leaves behind her the great agricultural States of Indiana, Illinois, Wisconsin, Kansas and Iowa of the West. In 1880 the farming industry of Maine owned 87,848 horses, an increase of 23 per cent. over 1870, and 43,049 working oxen. Its dairy interest was represented by 150,845 milch cows, 8 per cent. increase over 1870. There was also credited to her 140,527 other cattle. The number of sheep on our farms was 565,918, 30 per cent. more than in 1870. The number of swine was 74,369, an increase of 63 per cent. over 1870. The value of Maine farm products, including stock, in 1869 was \$33,470,044; in 1879, \$38,500,000, an increase of over 14 per cent.

The grand total shows Maine to be one of the leading agricultural States in the Union. These facts, which might be extended, should induce immigration to our State and keep our young men at home. The majority of the male population of this State, and even of the nation, are husbandmen and directly interested in agriculture, more than half the wealth of the country being invested in that industry. The pioneer who uses the axe and the spade, holds the plough and guides it through the soil of Maine, best knows how stubborn it is in yielding to the dominion of labor; but when conquered, the result secures a good livelihood, an honorable citizenship, and an independent home. The Swedish immigrant and other settlers deserve the hearty good will and encouragement of the State, and he who follows the pioneer and, by science and skill, "makes two blades of grass grow where but one grew before," is a public benefactor. Both are entitled to the protection of wise and generous laws. I desire to emphasize the fact that the cultivated fields are the prime source of national prosperity, wealth and happiness. There is, consequently, no class of our fellow citizens, that has higher claims on our consideration than the tiller of the soil.

The demands of our agriculturists have been very few, and their petitions for legislation easily satisfied. Heretofore there has been little within the scope of legislative action that could specially promote the interests of agriculture; but

as it has become a science, its claims have increased, and more should now be done. Our National Government has wisely instituted and supports a Bureau of Agriculture, and it has donated lands for agricultural colleges. There are several plans before Congress calculated to enlarge the duties of the Commissioner of Agriculture, and to make him a cabinet officer, which may result in creating a National Department with several experimental, well distributed agricultural stations. This will give the Department of Agriculture a broad and dignified national character. Let us be true to the interest that feeds and clothes us, gives life, motion and business to the commercial world, for its importance overshadows all other interests. May we not introduce as one of the purposes of the agricultural department of the State College, a plan whereby there shall be a closer and more advantageous connection between the college and the farmer? The people desire to know what is accomplished by way of experiment. That agriculturist is far behind the car of progress, who has no belief or confidence in experimental agriculture. Private enterprise is supporting agricultural experimental stations with signal success, and a few States are doing the same. As the result, pure seeds and unadulterated fertilizers are sold and distributed, silos and ensilage better understood, the interest in raising the best farm stock of all kinds is increased, the treatment of diseases of animals made a subject of investigation, information obtained in regard to the prevention of the ravages of insects, soils are analyzed to ascertain what elements need to be supplied, experiments are made as to the best mode of cultivating the staple products of our State. All these form the basis of scientific agriculture. The Republic of France appropriates \$20,534,410 for agricultural purposes; Prussia, \$2,612,340; Russia, \$14,826,184; and even Sweden, with an area not larger than the State of California, \$651,737. The United States only appropriates \$174,686 to foster the productive interests of the entire country.

I would suggest that arrangements be made so that the farm of the State College, under the direction of the Professor of Agriculture and Chemistry, be used, as far as practicable, for the upbuilding and protecting of the agricultural interests of the State, as an experimental station, and I would recom-

mend a more general diffusion of experimental knowledge through the medium of circulars and bulletins, and, if necessary, that appropriations be made for that purpose.

COMMERCE.

It is a gratifying fact that ship building has been revived in Maine, and that the enterprise and ability of the shipbuilders of our State are commanding nearly the entire business of the country in building wooden vessels. But one ship has been built outside of Maine during the past year on the entire Atlantic coast. The energy and business capacity of the citizens of Bath have restored to that city its former importance. Their ship yards furnish over two-thirds of the ship tonnage of the State and nation. Important questions affecting ship building and ship owners are before Congress, which will receive the careful consideration of our delegation. The result will deeply affect our future prosperity. The merchant marine of foreign countries, under less restriction and more liberal laws than our own, has an easy competition with American vessels. We are the greatest exporting nation in the world. Our treaties with foreign nations should be modified, burdens removed, and such protection afforded as will restore our commerce and protect us in all the advantages that legitimately belong to a great and powerful nation.

I have noted thus far the general statistics of the census showing the solid growth of the State, in order to refute a somewhat prevalent impression that Maine is not a prosperous and vigorous commonwealth. I repel the flippant insinuations that Maine is a good state to emigrate from. Its prosperity demonstrates that it is one of the best of States in which to live. I congratulate you, gentlemen, that all her interests were never more prosperous and her future was never more promising than it is to-day.

EDUCATION.

We find by a recent tabulation of the nation's illiteracy that our own State occupies an advance position in the matter of public intelligence. While New Mexico shows a population in which 60.2 per cent. cannot read, and several States furnish a deplorable record, Maine shows an inability to read of only 3.5 per cent., there being but four States that show a less

number. Intelligence is an essential element of public prosperity, and if it does not secure, promotes industry, economy and morality. Where these are wanting long continued prosperity is impossible. Intelligence, then, must be made universal. If it is partial, class distinctions will arise, the equality of man before the law will be endangered and the fundamental idea of free institutions will be made impossible. To secure this intelligence of our citizens, the State has instituted directly a system of public schools, and indirectly, by its encouragement and aid, a system of private instruction for higher education. This system received in substance from the parent Commonwealth of Massachusetts has been somewhat modified in form to meet the exigencies of changing circumstances. It comprises the "Common Schools," the "Free High Schools," the "Normal Schools," and the Agricultural College; these constitute the public part of the system. The State expended for the support of this system of public education, during the year ending April 1, 1881, \$965,697. An interest which demands so large a yearly expenditure, is worthy of the careful legislation of the representatives of this State. That the expenditure is not unduly large is shown by the following facts: First, that Maine is the twenty-first in rank according to the length of schools; while it is the thirty-third State in regard to wages paid, only five paying less. May it not be well to inquire whether a more liberal expenditure even, would not promote the material prosperity of the State? If it be true that industry and economy rest on intelligence, and that skilled labor, the most potent factor in producing wealth, also rests on intelligence, is it not apparent that to secure the advance of the State in prosperity, it must be advanced in education. The carrying on of this school system employs 6,500 teachers, whose fitness for their work determines largely, whether the annual expenditure for schools does or does not yield the greatest possible returns to the State. One-third of these teachers enter the schools without experience or special training. Like unskilled workers in every other department of labor, they waste time and materials, and prove unprofitable. To prevent this loss, the State has established three normal schools. That special normal and training schools for the professional preparation of teachers, are recognized by all civilized States as an essential element of sound educational progress, is shown

by the fact that in the various countries of Europe, there are seven hundred and eighteen such schools with over eighty thousand pupils, and in the United States there are two hundred and twenty such schools with more than thirty thousand pupils. That these schools in our State may fulfil the purposes for which they were established, they must be liberally supported and furnished with appliances to do work of the highest excellence. While the schools in the cities and manufacturing villages are increasing, more complete in organization, and more effective in educating their pupils by employing better teachers, the reverse is the case in the agricultural districts. This accelerates an evil already great; the diminution of population in the agricultural districts, and the increase in the cities. That a State may be truly prosperous, cities *may* grow, but the country *must* grow. It is a worthy object of consideration, to see whether better facilities for education in the rural districts would not have some influence in checking this evil, and if a radical change in the school district system would not give the advantage sought. I would respectfully refer to the forthcoming report of the Superintendent of Common Schools for correct statistical information. Its tabulations indicate a more careful and economical management of the schools, with, at the same time, a decided improvement in their character as disclosed in better school rooms, more efficient teachings, and more vigilant supervision. Looking to further and more radical improvement in these directions, the superintendent will recommend legislation to secure a uniform and more careful examination of teachers, and a stronger, more permanent, and more economical supervision. The measures he will propose, seem to me, practical and worthy of your favorable consideration.

The law regulating the course of study to be pursued in our public schools and the text books to be used, has, from time to time, been changed to meet the growing necessities of our progressive system. It may not have escaped the notice of many that several of the States have added to the course of prescribed study, a treatise on the elementary principles of agriculture. The principles therein discussed are of universal application, and are interesting and profitable for all classes, especially so to our prospective farmers whose success in agriculture must depend largely upon a correct

knowledge of its principles as a science. This matter deserves the attention of those interested in education, and I recommend the introduction of such a treatise to our list of common school text books.

FINANCES.

It is customary on an occasion like this to give a summary of the condition of our financial affairs and the situation and wants of the several institutions of the State. I would respectfully call your attention to the several official reports of the State officers, for more detailed information than I am able to give.

The following financial statement covers the period that has elapsed since the inaugural address of my predecessor, the years 1881 and 1882 :

The cash in Treasury January 1, 1881, was.....	\$160,338 64
The receipts during the year were	1,417,526 83
Total.....	\$1,577,865 47
The expenditures during the year were....	1,435,460 21
The cash in Treasury December 31, 1881, was	142,405 26
Total	\$1,577,865 47

The receipts for the year 1881 were from the following sources :

State taxes.....	\$1,104,145 77
County taxes.....	9,404 50
Taxes on Savings Banks	177,887 66
Tax on Railroad, Telegraph and Insurance Companies	78,192 33
Sale of bonds issued by the State College of Agriculture and Mechanic Arts	80,000 00
Interest on deposits and taxes.....	1,967 97
Miscellaneous sources.....	15,928 60
	\$1,417,526 83

The expenditures for the year 1881 may be conveniently grouped as follows :

Public Debt	\$83,000 00
Interest on Public Debt.....	336,681 00
Sinking Fund.....	80,479 95
Pay-roll of Senate and House of Representatives ...	35,563 65
Educational purposes....	358,639 26
Bounty on Beet Sugar.....	7,000 00

Agricultural purposes.....	\$12,415 46
State College of Agriculture and Mechanic Arts.....	2,500 00
Penal and reformatory institutions.....	67,146 56
Sundry other institutions.....	12,900 00
Insane and other State paupers.....	41,684 77
Military purposes.....	17,480 13
Pensions.....	19,656 50
Railroad and Telegraph taxes paid to the towns and cities.....	3,048 68
Indian tribes.....	15,166 70
Temporary loan and interest.....	202,469 77
County taxes paid.....	9,965 30
Miscellaneous and current expenses of the State Government, including salaries of all State officers, Judges and County Attorneys.....	129,712 48

\$1,435,460 21

Cash on hand January 1, 1882, was	\$142,405 26
The receipts during the year were.....	1,432,130 20

Total.....\$1,574,535 46

The expenditures during the year were..... 1,099,830 94

The cash in treasury December 31, 1882, was 474,704 52

Total.....\$1,574,535 46

The receipts for the year 1882 were from the following sources :

State taxes	\$1,055,289 62
County taxes	11,501 06
Tax on Savings Banks.....	206,469 43
Tax on Railroad, Telegraph, Express and Insurance Companies	138,601 89
Interest on deposits and taxes	10,532 31
Miscellaneous sources.....	9,735 89

\$1,432,130 20

The expenditures for the year 1882 were as follows :

Public Debt	\$52,000 00
Interest on Public Debt.....	326,912 00
Sinking Fund.....	80,479 95
Educational purposes	370,005 43
Agricultural purposes	8,776 50
State College of Agriculture and the Mechanic Arts..	1,000 00
Penal and reformatory institutions.....	24,815 40
Sundry other institutions.....	11,400 00
Insane and other State paupers	44,239 87
Military purposes	15,235 56

GOVERNOR ROBIN'S ADDRESS.

Pensions	\$19,582 70
Railroad and Telegraph taxes paid to towns and cities.....	14,727 09
Indian tribes	13,785 35
County taxes paid.....	9,384 49
Miscellaneous and current expenses of the State Government, including salaries of all State officers, Judges and County Attorneys.....	107,487 10
	<hr/> \$1,099,830 94

LIABILITIES AND RESOURCES.

<i>Liabilities.</i>	<i>Jan. 1, 1882.</i>	<i>Jan. 1, 1883.</i>
Bonded Debt.....	\$5,801,900 00	\$5,749,900 00
Trust Funds	707,283 59	719,031 98
Due School District No. 2, Madison.	1,000 00	1,000 00
Soldiers' Bounty Scrip.....	800 00	800 00
Balance due on school fund, rolls of accounts, interest and warrants uncalled for, &c	414,679 86	459,065 82
County taxes collected.	8,269 51	11,486 68
	<hr/> \$6,933,952 96	<hr/> \$6,941,284 48

<i>Resources.</i>	<i>Jan. 1, 1882.</i>	<i>Jan. 1, 1883.</i>
Sinking Fund.....	\$1,436,367 29	\$1,571,185 03
Uncollected Taxes	1,005,029 79	1,011,722 35
Cash in Treasury	142,405 26	474,704 52
Balance, net indebtedness of State ..	4,350,150 62	3,883,672 58
	<hr/> \$6,933,952 96	<hr/> \$6,941,284 48

STATE DEBT.

The total bonded debt of the State, less the sinking fund,	
Jan. 1, 1881, was.....	\$4,576,043 00
Jan. 1, 1882, it was.....	4,365,533 00
Jan. 1, 1883, it was.....	4,178,715 00

DECREASE OF THE BONDED DEBT.

The reduction of the bonded debt of the State is brought about in three ways: first, by payments made annually upon the debt; second, by increase of the sinking fund by purchase of securities with the annual appropriation therefor; and third, by interest received upon the securities, belonging to that fund, already held.

The State debt reached its highest point October 1, 1869, upon the assumption by the State of the municipal war debts in part, \$3,084,400 being by this act added to the already

large indebtedness, bringing the bonded debt up to \$8,100,-900. There was, however, at the end of that year an accumulation of securities in the treasury on account of the sinking funds, amounting to \$972,530, which deducted from the total, left the net bonded debt Jan. 1, 1870, \$7,128,370. This amount has been reduced, year by year, since that date as follows :

During the year 1870.....	\$331,196
1871.....	367,569
1872.....	261,592
1873.....	284,999
1874.....	308,276
1875.....	301,690
1876.....	143,581
1877.....	166,643
1878.....	146,559
1879.....	133,164
1880.....	106,698
1881.....	210,510
1882.....	186,817

The interest on the bonded debt has been reduced from \$509,000 in the year 1870, to \$326,913 in the year 1882.

In the year 1883, \$50,000 of the renewal bonds become due, and \$385,000 of the original war loan bonds. The payment of the smaller sum is already provided for by law. The Treasurer of State suggests that a portion of the surplus cash in the treasury be used to pay the larger sum in part, and that bonds be issued for the balance, payable in years when no outstanding bonds become due. The bonds issued under this arrangement can be purchased by the Treasurer of State on account of the sinking fund, and not be placed upon the market. The rate of taxation for 1883 and 1884 will be no larger than for the years 1881 and 1882, unless the appropriations are largely increased; the Treasurer of State is of opinion that it may be somewhat reduced.

SAVINGS BANKS.

The history of the Savings Banks is interesting, and the increase of deposits is remarkable, indicating the frugality of the industrial classes.

The first Savings Bank in Maine was the Saco and Biddeford Savings Institution, organized May 27th, 1827. There

are now in active operation 55, all but six of which have been chartered since 1865.

In 1860 the deposits were.....	\$1,466,457.56
In 1870 the deposits were.....	16,597,888.78
In 1880 the deposits were.....	23,277,675.82
In 1881 the deposits were.....	26,474,555.97
In 1882 the deposits were.....	29,503,889.71

The full and concise report of the Bank Examiner furnishes the State with much valuable information. It will be seen that very many of the securities held by our Savings Banks will mature during the next two years, which will necessitate a corresponding amount of new investments. In view of this he recommends that a broader field and more discretionary power in the matter of investments be given to their managers.

On the ground that the earnings of Savings Banks must necessarily grow smaller as the old securities mature, and new investments are made, the Bank Examiner calls attention to the fact that the State tax of one per cent. on the deposits has become disproportionate to their income, and recommends that a reasonable reduction be made. These are questions worthy of the careful consideration of the Legislature.

THE STATE PRISON.

In the forthcoming report of the Warden and Inspectors of the State Prison, you will find a detailed statement of the affairs of that Institution. The number of prisoners Nov. 30th, 1882, was 147, a falling off of 37 since the corresponding date of 1881. There is a marked increase in the number of life sentences. In 1870, the number was 10 or 6 per cent. of the whole number of convicts, in 1876, it was 18 or ten per cent., now the number is 36 or 25 per cent. The net cost to the State for the two past years above earnings has been about \$90 per annum to each convict. The manufacture of shoes being a losing business has been abandoned, and that of carriages increased. The discipline is excellent, the work in the various shops and the sales of the products very satisfactory. The introduction of steam power would add greatly to the capacity of the workshops and would in the end be an economical investment, both for power and for heating purposes. There is a balance of the indebtedness contracted

prior to 1880, amounting to \$30,066.44 with interest that has accrued since June, 1882, still unpaid. It was temporarily provided for by the Treasurer of State on recommendation of the Executive, and should with all other bills of indebtedness be paid with the least possible delay. I recommend that such provision be made.

INSANE HOSPITAL.

There is no public Institution which has higher claims on public and private sympathy and action than the Hospital for the Insane. The dreaded malady insanity visits alike the palace and the cottage, and all classes are equally interested that wise provisions be made for the speedy restoration if possible, and for the safety and comfort of this class of unfortunates. This idea has been fully recognized by the authorities of every State in the Union, and generous appropriations have heretofore been made when necessary. Let us simply do our whole duty.

Insanity appears to be on the increase among our people and unfortunately the dread of the hospital keeps away many curable cases until a chronic condition and other complications render the case more uncertain. The increasing number of our insane calls for more accommodation, so that no applicant should be refused admittance, and a better classification of patients may be made; on this largely depend the chances for convalescence. It has been to frequently recommended to send the incurable and demented patients to our poor-houses in order to avoid expense. Would it not be more consonant with humanity to provide for them better accommodation than such houses usually afford? The Governor of Michigan has well said, "the poor-house is no place for the treatment and care of the insane as a class, a resort to the poor-house is a retrograde movement unbecoming the State."

The usual custom of sending insane criminals from the State Prison to the Hospital for the Insane, giving them the same accommodations and rooms with other patients, has caused just criticism, and should be abolished. Distinct and suitable apartments should be furnished for these unfortunates. I trust that the Legislature will find some remedy for this cause of complaint.

A vacancy in the office of Superintendent of the hospital exists by the resignation of Dr. H. M. Harlow, who has faithfully served the institution for over a quarter of a century. It is certainly desirable to secure the services of the most efficient and able Superintendent, which can only be done by an adequate salary. I would recommend that a more liberal salary be paid if it should be necessary, that such appropriation be made as may be necessary to complete and furnish the present unfinished building, and that such other appropriation be made as the public necessity requires, for the welfare of our insane.

REFORM SCHOOL.

I would respectfully suggest to the members of this Legislature, that they carefully consider the reports of the Trustees of the Reform School for the past two years, also the several reports of the Commissioners appointed by the Governor and Council to investigate the grave charges made against the management of that institution. These reports give valuable statistical information and suggestions, which would seem to be sufficient to a full knowledge of the history and the financial, intellectual and moral condition, of the school. The fact that there has been much severe criticism, which has provoked both public and private discussion in regard to its management, calls for a thorough investigation on your part, to ascertain if many of the serious causes of complaint do not have their origin in the want of proper legislation. The lack of suitable arrangement for proper classification of pupils, is a question which should be considered. Hardened criminals should not be associated with young boys who are sent to the school for first offences, and who are perhaps more "sinned against than sinning," and who, under proper influences, might become useful members of society.

INDUSTRIAL SCHOOL FOR GIRLS.

The eighth annual report of the Managers of the Industrial School for Girls at Hallowell, will soon be placed before you. This institution is one of the most important of our State; is under the direction of a board of managers composed of able, earnest men and women, thoroughly alive to the importance of their work and deeply interested in the success of the school. During the eight years it has been in operation,

148 girls have been admitted to the institution. Of this number, 81 are now in good homes provided for them, 8 have been returned to friends, 2 sent to the Orphans' Home at Bath, 3 have escaped, 6 have been dismissed and 4 have deceased, leaving 44 now in attendance. The average attendance for the years 1881 and 1882, was 39 and 40 respectively. The buildings, with the farm of thirty-two acres upon which they are located, and a set of farm buildings of moderate dimensions, cost the State \$12,500, private parties contributing various sums aggregating \$13,500 additional. The school building is constructed to accommodate thirty pupils. The fact that on an average forty girls have been for the past year domiciled in the building, and that forty-four are now there, and that the number is kept down to these figures by the most rigid restriction, shows conclusively the pressing necessity for increased accommodations. A new building of the same capacity as the present one seems to be indispensable to the success of the school. A resolve was presented to the last Legislature providing for an appropriation by the State of \$5,000 for this purpose, conditioned upon a like amount being raised by private subscription. This resolve met the unanimous approval of the committee to which it was referred and a report was made accordingly, but the Legislature saw fit to refer it to this Legislature. Several thousand dollars have already been raised by the friends of the school and more has been promised. Aside from the question of humanity and morals, as a question simply of economy and public policy, the State cannot afford to disregard the necessities of this institution, and I trust you will give it the consideration its importance merits.

SOLDIERS' ORPHANS' HOME AT BATH.

This institution commanded the cordial sympathy and enthusiastic support of the entire state at a time when its necessity was apparent. It has accomplished its mission by wise and judicious management, and is still worthy of public and private confidence. There are forty interesting children within its walls, well cared for, clothed, and being educated at the city schools. By reason of the small number of inmates, each year decreasing, the expense to the State is large

for each child. It is a question for the Legislature to consider whether the unoccupied departments could be utilized for other orphans of the State, so as to enlarge its sphere of usefulness and open its doors wider, to the interests of humanity.

MAINE GENERAL HOSPITAL.

This institution has great claims on public and private charity; every man, woman and child of understanding, should be interested in its success. It is not considered to be a strictly charitable institution, but statistics show that a large proportion of the patients are entirely free, while there is still another class who pay only a part of the expense. Since 1878 more than one-half of the work of the hospital has been for free patients. But the charity of the institution is not limited to that class, as few of the paying patients pay more than \$7 per week, while the cost to the hospital during the last four years averages more than \$10 per week. When we consider the cost of surgeon's fees, and skilled attendance at home, \$7 per week would seem to be a small sum. It is not a local charity, for reports show that every year nearly every county is represented. Aside from the State appropriations, three-fourths of the contributions are received from Portland people; this does not appear from reports except as contributions for free beds; less than one-eighth of the relief is furnished to Portland people. The fund is small, being only \$30,000. During the past year the total expenses have been less than \$20,000. The cost of keeping up the house would not be much affected by an increase of patients. The institution is under the best management, and we trust that the Legislature will not fail to grant its usual appropriation for this worthy object.

DEAF, DUMB AND BLIND.

The institution at Hartford, Connecticut, furnishes adequate provision for the education of the deaf mutes of our State, and the learning by them of suitable trades. The faithful care and instruction bestowed on the pupils of this institution are commendable, and warrant the continued support of the State. The school for the deaf in the city of Portland is worthy of commendation. The progress that has been made

by those who have availed themselves of the advantages of a home institution, where the articulating method is used, is remarkable. This school is worthy of patronage. The unfortunate blind children of our State are educated at public expense, at the Perkins Institution for the Blind at Boston. The advantages of that institution are unsurpassed. There is no lack of financial means to furnish all needed appliances, in books and school apparatus, and every comfort is furnished. I would recommend that the appropriation of last year be continued.

STATE BOARD OF PUBLIC CHARITIES.

I call your attention to the fact that many States advocate and enjoy the utility and advantage that result from a competent board of men and women, who are delegated with a general official oversight of State institutions of a reformatory and penal character. There are in every State citizens of high character and attainments, imbued with a spirit of philanthropy and humanity, who are willing to serve the public in these great interests without pecuniary reward. In our State there may be a wide field open for reform in our prison, jails and reform school. A good result depends largely upon the character of such a board. The progress of reforms which has been secured by experience, study and research, if properly applied and used, would undoubtedly still elevate the moral and intellectual character of our institutions, and benefit their financial management.

THE COLLEGE OF AGRICULTURE AND MECHANIC ARTS.

I commend this institution and its reports to your special interest and attention. It has gained largely upon public confidence in consequence of what it has done for the State. It has received the fostering care of the general government, and of our own State, and its claims should be asserted until its efficiency for permanent usefulness is fully appreciated, secured and established. It supplements our common school system and affords an opportunity for a more thorough and practical education of those who intend to follow farming or mechanics as a business. It is a college for the people, and should receive popular support. It still needs assistance in the purchase of a shop and apparatus for the

necessary development and continuance of the department of practical mechanics. With such aid, I am assured the institution will recover from the loss of numbers occasioned by charging tuition. The college still needs the fostering care of the Legislature, and rests its claim on its faith in the promise of the State, when she accepted the grant of land from the National Government establishing the college. The endowment is \$132,500, yielding an annual revenue of \$7,500. The tuition the past year has amounted to \$2,000. This is all the revenue the past year. In consequence of the abandonment of free tuition, the number of scholars has been reduced from 100 to 80. The General Government, it is expected, will render further assistance, and whatever is necessary to be done to sustain the college is worthy of your prompt and generous consideration.

THE MILITIA.

Under the laws our military force is composed of the enrolled, the reserve and the volunteer militia. The enrolled militia consists of all able bodied male citizens between eighteen and forty-five years of age, as returned by municipal officers, numbering 97,320. The reserve militia is organized, furnished with arms and equipments, but is of no expense to the state unless ordered on duty by the commander-in-chief. The volunteer force, consisting of two regiments of eight companies each, and one unattached company of infantry and one four-gun battery of light artillery, remains substantially as it was two years ago. The whole force is organized into one division, commanded by Gen. Joshua L. Chamberlain, who has been untiring in his efforts to bring the militia of Maine up to a high standard of excellence. To his efforts, seconded by the staff, regimental and line officers, a large portion of whom have seen service on the sanguinary fields of their country in the late war, we are indebted for the efficiency and high character of the militia of Maine, which has been highly complimented by an officer of the regular army detailed to attend the last annual review.

STATE PENSIONS.

The State continues to make provision, to a limited extent, to alleviate the pressing necessities of the deserving soldiers

and seamen of the late war, who incurred disability in the service, and of their widows, orphans and dependent parents. The appropriation for the year 1881 was \$23,000; the amount expended was \$17,829.83; the number of applicants of all classes was 796; the number allowed was 543. The appropriation for 1882 was \$22,000; the amount expended was \$20,550.10; the number of applicants was 757; the number allowed was 611.

The advance in the prices of staple products and increase in the cost of living in the year 1882 over that of 1881 will account largely for the increased expenditure in the latter year.

The execution of this act devolves upon the Governor and Council, and the utmost care has been exercised by the member having this in charge to avoid needless expenditure on the one hand, and injustice to applicants on the other. This act is intended to prevent those who served their country in the hour of peril and are reduced to poverty, from incurring the odium of pauperism; a most worthy object and one that I trust will be continued by the law making power of the State of Maine so long as the necessity exists.

REVISION OF PUBLIC LAWS.

The last Legislature entrusted the Revision of the Public Laws of the State to Hon. Charles W. Goddard of the city of Portland, by an unanimous vote of both branches. This important work has been executed in an expeditious manner, and the result of the commissioner's labors, embodying the legislation of the past twelve years, will be before you. Judge Goddard was peculiarly fitted to discharge the duties of his office, and the character of his work has vindicated the wisdom of the selection, for his valuable research and labor will be appreciated by the State. It is very satisfactory to our State to learn that great economy has been practiced by the Commissioner. The entire cost, so far, of the revision, including all unavoidable charges, will not exceed \$8,500. The State of Massachusetts has just fully completed the same kind of labor, and the entire expense of revision and the cost of publishing the necessary amount of volumes will reach the sum of \$87,487.75. Although the whole amount of our work

must be reprinted, it must fall far short of the Massachusetts expenditure.

The revision is accompanied with a report and a valuable historical note on the sources of land titles in Maine. The Commissioner also submits to your consideration forty-six amendments suggested by many of the eminent jurists of the State and adds some important suggestions of his own; among the latter there is a reference to the taking effect of constitutional amendments, to the publication of the laws and proclamations, a recommendation for a legislative draughtsman, suggestions in regard to the double taxation of mortgaged property, to the reorganization of the Law Court to facilitate the more speedy hearing and adjudication of law questions, and to the calling of a convention for a revision of the Constitution, all which with the Commissioner's report, are commended to your careful consideration. The addition of a reference index and reference index titles will greatly facilitate an examination of this new draft, and a reference to the revision of 1871 and the subsequent acts. It is hoped that the legislation of the coming session may be incorporated into the new volume, so that the fourth revision of the Statutes of Maine may be issued first and need no supplementary volume until 1885. I would recommend, if practicable, that such an addition be made.

LAW DEPARTMENT.

The last report of the Attorney General of the State will be laid before you early. You will observe that the Court has sustained the constitutionality of the statute by which express and telegraph companies have been taxed under the provisions of the public laws of 1880 and 1881. These taxes, heretofore resisted, have now been paid into the treasury. The several suits involving the right of the State to tax railroad companies, under the law of 1880, have been tried before the full Court, and the constitutionality of the law sustained. A suit brought against the Portland, Saco and Portsmouth Railroad Company, under this act, is still pending. The Governor and Council, under the provisions of the present law, levied a tax on railroad companies amounting to \$99,122.29; of this amount \$71,360.41 was promptly paid. The payment of the balance will depend upon the constitutionality of the statute.

The duties pertaining to the office of Attorney General are increasing. Important questions involving the construction of laws, the assessment and collection of taxes, the preparation of suitable blanks, and a variety of similar matters which require legal research and advice, have been submitted to the Attorney General, by the Executive and other departments, and have received prompt attention, with satisfactory results. The statistics and information contained in the report are valuable, and the suggestions are worthy of your consideration.

FISHERIES AND GAME.

The reports of the Commissioner for the past two years indicate favorable results from the money expended by the State. Popular feeling justly sustains the department of Fisheries and Game. Efficient laws should be passed and enforced, sustaining the policy of the State in the propagation of fish and game. Serious complaints have been made in regard to the manner of taking and the disposition of small lobsters, which without some remedy will produce deleterious consequences. The suggestions of the Commissioner are worthy of consideration.

INSURANCE.

The Commissioner has compiled valuable statistics in regard to the several companies doing business in this State. I commend to you his suggestions and recommendations. The business is important, far reaching in its effects, and requires thorough supervision.

INDIAN TRIBES.

A personal inspection by the Governor and Council furnishes evidence that these wards of the State are making substantial improvement and advancement in education and agriculture. Treaty obligations require the State to make annual appropriations for their benefit in these particulars.

TAXATION.

The necessary expenses of the State Government should not be curtailed. The demands of education, State institutions, charities, and military defence, call for adequate appropriations for the public good. There should be strict economy in all expenditures.

The Legislature of 1874 inaugurated a new system of taxation, seeking to equalize it by removing a part of the burden from the productive industries of the State and transferring it to capital invested in railroad, telegraph, express and insurance companies, savings banks, and like corporations and business. By repeated changes of law, a system of taxation has been legalized and sustained by the constitutional authorities of the State, which has brought a new revenue into our treasury, and thereby lightened the burden on visible property.

The State of Vermont has already provided, by a tax on the several interests, a sum sufficient for all the State expenditures without assessing a single dollar on the several towns and cities.

I would suggest that the Legislature investigate the present system of taxation, as far as practicable, that measures may be devised to provide that all kinds of property and interests be reached, so that, in a just way, public burdens may be equalized; to this end I recommend that a proper tax be levied on telephone companies doing business in the State.

TEMPERANCE AND PROHIBITION.

Temperance has been for many years one of the leading public questions and has enlisted the service of many of the best men and women of our State. Prohibition had been prominent in the politics of the State; and, after an active agitation through many years, the Maine Law was adopted in 1851. The evidence is unmistakable that a majority of our people favor the policy of prohibition, and there are few localities which do not favor a wise and impartial enforcement of all law relating thereto. There has undoubtedly been a difference of opinion among good and conscientious citizens in regard to the best mode of eradicating intemperance, but there are few who are unwilling to admit that there has been a wonderful change for the better in public sentiment where the law has been rigidly enforced. In a large part of the State, embracing more than three-fourths of our population, the liquor traffic is practically unknown. It lingers on a small scale, and more or less secretly, in our larger towns and cities, producing in them the evils which inevitably arise from it wherever it exists.

The successful party at the recent election affirmed the principles of prohibition in its resolutions, and also recommended that the people of our State be allowed the opportunity of expressing an opinion at the polls, on a constitutional amendment, which, if adopted, will make prohibition a part of the organic law of the State. Kansas and Iowa, by a vote of the people, have incorporated prohibition into their respective constitutions, and a very active agitation is now in progress in many other States to the same end. The right of the people to determine for themselves what is most conducive to their interests, is in accord with the theory of popular government. Furthermore, constitutional prohibition would have the effect of keeping the question, to a considerable extent, if not entirely, out of party politics. In view of these facts, the Legislature will be called upon by petition and otherwise, as it has already been asked by the voice of the sovereign people, to submit to them the determination of this question. It is your province to consider this request, and whatever may be the final result, let the voice of the people be the law of the land.

IMPORTANT MATTERS.

I would call your attention to the consideration of some better method of collecting statistics in regard to the resources, industries and material growth of our State; to the appointment of a valuation commission at some future day, looking for a more systematic and just valuation of the State, and a better distribution of the burdens of taxation.

The question of giving the women of our State the right of suffrage on all occasions, at least the practicability of removing many restrictions, is in keeping with justice and progress made by other States and worthy of favorable legislation.

DANGEROUS HERESIES.

Of late, public attention has been called to what is styled the unequal distribution of property by a class of agitators, whose purpose appears to be to create discontent among the masses, by the advocacy of some indefinite scheme for the equal distribution of property outside the law. Because all men are equal in the eye of the law, they illogically assume that they should enjoy equal ownership in property. Plausible

as may be this doctrine in theory, in practice it would destroy that motive and ambition which inspire the individual to the highest effort. Under the most favorable conditions a given number of men will not acquire the same possessions. Place two men side by side in the same occupation ; one will acquire property year by year, while each year's end will find the other in less favorable circumstances than at its beginning. Does any one believe that any policy of government or any code of laws can make both these men equally successful? If not, is there any pretence of justice in a theory which claims that these men should be put upon a level, by despoiling one of his accumulations to make up for lack of skill, care or industry in the other?

Law can and should protect the poor and the weak against the exactions of the powerful and grasping ; it can secure to the unfortunate a given amount of property which the creditor should be forbidden to touch ; it can make him secure in the prosecution of an honorable vocation ; it can give the laborer a first lien upon the products of labor and capital for his wages ; it can and should compel corporate wealth to respect personal rights, should it attempt to ignore them. All this the laws of this State now give to the humblest individual. Further, our system of taxation treats with property rather than with persons ; to that end, our public schools are largely supported by a general tax, so that many of the smaller and poorer towns receive more than they contribute.

Is there a sane man in Maine who will say to-day, that the laws should be so changed, as to take the property of the more prosperous and divide it among those less so? Indeed, is there one who will offer a system by which present apparent inequalities can be prevented?

Equality of conditions is known only among those savage tribes where poverty and want are the common lot. As soon as men achieve civilization, a part will be more successful in the accumulation of wealth than the many, just as a few men will excel the majority by force of their superior intellectual endowments.

The State can do this : it can give to all an education which will, as far as human agency can do it, remove natural differences between men and enable them to intelligently make use of their natural endowments. Industry, energy, and pru-

dence with good common sense, will usually insure a good degree of success.

Only the communist and the demagogue will ignore these truths. More than all other influences, the teacher, the press and the pulpit can impress upon the young those principles of honesty, honor, self-reliance, perseverance and economy, which will insure a competency to all.

CORPORATE WEALTH.

In this State the relations between capital and labor have always been pleasant and satisfactory. There exists harmony and good feeling and a reciprocity of interest between all classes and all vocations. This should be encouraged by every good citizen. The evils of monopoly and the power exerted by consolidated wealth, injuriously felt in some communities, are not likely to gain any dangerous foothold among an intelligent people, and where the ownership of land is so largely and well distributed as it is in Maine. The general intelligence and virtue of the people will stand as a barrier against any unjust oppression arising from any source; and it will protect the ownership of property, and the rights of every individual, with the single purpose of doing justice to the citizen, whether rich or poor. Let every concession be made and all laws be passed, which will elevate those industrial classes and interests which add so much to the dignity, importance and material advancement of our State.

In the routine of business life there cannot be absolute security from wrong practices, neither can justice be meted out equally to all classes and vocations. There should, however, be an intelligent watchfulness on the part of the less favored communities and their representatives who, by the nature of their vocations and the laws which regulate business, can never accumulate large fortunes, so that justice, as far as possible by law, may be secured; the real object of popular government being to secure to all the greatest good and the widest field for effort. Popular opinion should not only be enlightened, but the public conscience should be kept alive by high standards of excellence. A popular judgment based upon such high ideals will purify and elevate politics, will demand true reforms, National and State economy in expenditures, the abolition of unnecessary offices, and will

tolerate only such taxation as is essential to the public welfare. Such an intelligent and conscientious public sentiment will demand that every possible safeguard be placed about the ballot-box; will demand an untrammelled ballot and will hold the faith of the State sacred. Such a public sentiment will maintain that sound and exalted morality, that observance of the sanctity of the Sabbath and religious institutions which characterized our forefathers. It will eradicate demagogism and will entrust the public affairs to those men who, by devotion to the common interests, have shown themselves worthy of confidence. Such a public sentiment, such exalted patriotism and such devotion to the well being of all classes, will make us a living illustration of the great truth. "Righteousness exalteth a nation."

THE SAFEGUARD OF POPULAR GOVERNMENT.

During the past few years, issues have arisen and controversies have taken place in the State government, which have not only been discreditable to the State, but are calculated to bring official authority and law into contempt. It is idle now to enumerate these dissensions or their causes. It is better to point out remedies. Popular government will maintain the respect and regard of the people so long as elections are fairly conducted, votes are honestly counted, and the different departments of the government exercise their constitutional functions without trenching upon the others. The Executive shall take care that the laws are faithfully enforced, but the people have declared in the late election, that the Governor must not ignore the Executive Council, by removing officers without that advice and consent which is necessary to create them. Moreover, the people by a decided majority have declared that the Executive branch of the government is as much bound to conform its action to the opinion of the Supreme Court, when promulgated in obedience to the constitution, as private citizens are to obey its mandates. This decree of the people is in harmony with the letter and spirit of the Constitution and the precedent since the foundation of the State. Such a Supreme Court as Maine has had from the beginning, men of integrity and purity of character, and learned in the law, is not a tribunal which will transcend its constitutional limits. The late election in which differences

of opinion upon this question were prominent issues, ought to settle them for all time. The condition of the State is elevated and universal society protected, when the decisions of upright and conscientious judges are acknowledged by honorable treatment, when intended to give constitutional justice to a State and constitutional expression to the will of the sovereign people. The repeated lesson of history should not be disregarded. The times are perilous and fraught with mischief when the public mind becomes influenced and debauched by purely personal aggrandizement, by the appeals of the selfish, however eloquent and talented.

To be in fact, as in name, a government of the people, elections should not only be free and fair, but the votes should be honestly counted. All strained interpretations of law, all legal hair splitting by which a different result may be secured than that which the ballots cast and counted show, or appear to have been intended to show, by those who deposited them, are crimes against popular government of the magnitude of treason, for such that offence must be held, by which the will of the majority is set aside and that of the minority substituted. The people of a State and Nation will cordially acquiesce in the result of a free election, and an honest count. On the other hand, any restraint upon the freedom of the citizen to vote as he chooses, the tampering with ballot boxes, fraudulent counts and returns, and tricky tabulations suppressing or changing results in elections, will be followed by further abuses and if long continued will end in anarchy.

CONCLUSION.

Fellow citizens of the Legislature: Upon us has been conferred the highest honor, and to us have been confided the most sacred trusts. To us has been confided the care of a State that has made an illustrious record. We are proud to be her sons; we cherish her history; we glory in her institutions and achievements; we have the fullest faith in her future. In every other part of the country her sons rise up to call her blessed. Two score of shot-torn battle flags in the hall below tell us of the heroism and devotion of her sons. She has never been without true patriots and wise statesmen to serve her. Her escutcheon comes to us without a stain. This goodly heritage we owe to fathers who founded our free schools

and our civil and religious institutions by patriotic effort and sacrifice. It is not only a high privilege but a sacred duty to serve such a State. Forgetting that we are partizans, or that we represent this or that section, let us show ourselves worthy of our ancestors, and mindful of the glorious past of the Dirigo State, by devoting ourselves with singleness of purpose to promoting the welfare of the whole State and all her people. In such an exalted endeavor I pledge you my hearty co-operation. We meet at a time when the departure of the old and the beginning of the new year warns us of the flight of time and the decreasing opportunities for public and private usefulness; let us, then, make use of present opportunities and meet present responsibilities.

“For the truer life draws nigher
Every year;
And its morning star climbs higher
Every year;
Earth's hold on us grows slighter,
And the heavy burden lighter.
And the dawn immortal brighter
Every year.”

May the blessing of God attend the Legislature of 1883.

FREDERICK ROBIE.

GOVERNOR ROBIE'S MESSAGES.

EXECUTIVE DEPARTMENT, }
Augusta, March 15, 1883. }

To the Senate and House of Representatives:

I transmit herewith a list of the Acts and Resolves passed during the present session of the Legislature, and approved by me to and including the present date, numbering 352 Acts and 97 Resolves.

I have no further communication to make at this time.

FREDERICK ROBIE.

EXECUTIVE DEPARTMENT, }
Augusta, August 29, 1883. }

To the Senate and House of Representatives:

I transmit herewith a list of Acts passed at the adjourned session of the Legislature and approved by me to-day, numbering 5 Acts.

I have no further communication to make.

FREDERICK ROBIE.

Orders Submitting Questions.

STATE OF MAINE.

IN COUNCIL, March 31, 1881.

ORDERED, That the opinion of the Justices of the Supreme Judicial Court be respectfully asked by the Governor and Council upon the following statement :

April 24th, 1880, J. W. Spaulding was appointed by the Governor, with advice and consent of Council, as Reporter of Decisions of the Law Court of Maine, and commissioned to hold his office "four years unless sooner removed by the Governor and Council for the time being," and has been discharging the duties of that office ever since. On the 29th inst. the Governor, without advice or consent of the Council, claimed to remove said Spaulding from said office, by causing the Secretary of State to serve upon him a notice, a copy of which with a copy of the Commission is hereunto annexed.

Question. Has the Governor the power of removal without the concurrence of the Council, in manner as claimed by him?

IN COUNCIL, March 31, 1881.

Read and passed by the Council, but the Governor withheld his approval.

JOSEPH O. SMITH, *Secretary of State.*

A true copy. Attest :

JOSEPH O. SMITH, *Secretary of State.*

STATE OF MAINE.

EXECUTIVE DEPARTMENT.

To the Hon J. W. SPAULDING, Richmond, Maine.

You are hereby notified that the term of your office as
REPORTER OF DECISIONS,
which you hold "during the pleasure of the Executive," is terminated and you are removed from said office.

Witness my hand and the seal of the State at Augusta, the
 29th day of March, in the year of our
 [Seal of the State.] Lord one thousand eight hundred and
 HARRIS M. PLAISTED. eighty-one, and of the Independence
 of the United States of America the
 one hundred and fifth.

By the Governor.

JOSEPH O. SMITH, *Secretary of State.*

A true copy. Attest :

JOSEPH O. SMITH, *Secretary of State.*

STATE OF MAINE.

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING.

Know ye, That Daniel F. Davis, our Governor, reposing
 special trust and confidence in the integ-
 [Seal of the State.] rity, ability and discretion of Joseph
 DANIEL F. DAVIS. W. Spaulding of Richmond, hath nomi-
 nated, and by and with the advice and
 consent of our Council, appointed the said Joseph W. Spauld-
 ing, Reporter of Decisions of the Supreme Judicial Court.

We, therefore, do hereby authorize and empower him to
 fulfil the duties of that office according to law ; and to have
 and to hold the same ; together with all the powers, privileges
 and emoluments thereto of right appertaining unto him, the
 said Joseph W. Spaulding, for the term of four years, if he
 shall so long behave himself well in said Office, unless sooner
 removed by the Governor and Council for the time being.

In Testimony Whereof we have caused these Letters to be
 made Patent and our Seal to be hereunto affixed.

Witness, our Governor, at the Council Chamber, in Au-
 gusta, the twenty-fourth day of April, in the year of our
 Lord one thousand eight hundred and eighty, and of the
 Independence of the United States the one hundred and
 fourth.

By the Governor.

J. O. SMITH, *Deputy Secretary of State.*

A true copy. Attest :

JOSEPH O. SMITH, *Secretary of State.*

STATE OF MAINE.

IN COUNCIL, March 31, 1881.

Inasmuch as the Governor has withheld his approval of an order this day passed by the Council, inviting a concurrent application by the Governor and Council, to the Justices of the Supreme Judicial Court, for their opinion upon the question of the power of the Governor, without the advice and consent of the Council, to remove the Hon. J. W. Spaulding as Reporter of Decisions of the Law Court of Maine, and inasmuch as the Council deem it an important question of law, coming within the provisions of Art. V., Sec. III, of the Constitution of this State, whether, by the action of the Governor, a vacancy exists in said office, therefore,

ORDERED, That this Council most respectfully ask the opinion of said Justices upon the question and facts submitted in said order, and that the Secretary of State be directed to forthwith forward to the Honorable Chief Justice of said Court, certified copies of both orders and the paper thereunto annexed.

IN COUNCIL, March 31, 1881.

Read and passed by the Council.

JOSEPH O. SMITH, *Secretary of State*.

A true copy. Attest:

JOSEPH O. SMITH, *Secretary of State*.

OPINIONS.

BANGOR, Sept. 1, 1881.*To the Honorable The Council of Maine:*

In accordance with the provision of the Constitution imposing upon the Supreme Judicial Court, the duty of giving its opinion upon important questions of law and upon solemn occasions, when required by your body, we have the honor to answer as follows:

From the papers forwarded it appears that Joseph W. Spaulding was nominated, and with the advice and consent of the Council appointed, Reporter of the Decisions of the Supreme Judicial Court, and his commission accordingly issued on the 24th of April 1880, in the form adopted at the organization of the government of this State, and followed ever since, reciting therein that he was "to have and hold the same together with all the powers, privileges and emoluments thereto of right appertaining unto him, the said Joseph W. Spaulding, for the term of four years, if he shall so long behave himself in said office, *unless sooner removed by the Governor and Council for the time being.*"

The original appointment of the Reporter was for an unlimited term of years. The language of the commission was subsequently changed, in respect of time in consequence of chapter 257 of the acts of 1824, by which the term of office was limited to four years. But in all cases, the Reporter held his office subject to be "removed by the Governor and Council for the time being."

Under and by virtue of this commission, Mr. Spaulding being duly qualified, entered upon the discharge of the duties of the office to which he had been appointed. On March 29th, 1881, the Governor by a paper signed by him, headed Executive Department, to which the seal of the State was attached, notified Mr. Spaulding that the term of his office as Reporter of Decisions, which he held during the pleasure of the Executive, was terminated and that he was removed

from said office. This act, if done "in the executive part of his duty," was without the advice or the consent of the Council.

The question upon which our opinion is required relates to the power of the Governor in the removal of an officer nominated and commissioned by him with the advice of the Council, as in the present case.

The order of the Council requiring the opinion of the Court received neither the assent nor the approval of the Governor. But that was unnecessary. By the Constitution, Art. 6, § 3, this Court is obliged to give their opinion on important questions of law and upon solemn occasions, when required by the Governor, Council, Senate or House of Representatives.

The Council have the same right to require the opinion of the Court as the Governor or either of the other designated bodies. In case of disagreement between the Governor and his Council, the right to require an opinion is given to each, to one as much as the other. The assent of the Governor is not needed to nor can his dissent or veto prevent the action of the Council.

That the question at issue is important and that this is a solemn occasion, within the constitutional provision, should not be questioned, since it involves the constitutional rights and powers and duties both of the Governor and of the Council.

Whether there is a vacancy in the office of Reporter or not is a question of public concern. The action of the Council in the exercise of their advisory functions is dependent on the determination of this question. When the inquiry was made the question was pending. If there was no vacancy, the option was with the Council to create one or not, as the public interest might require. If there was a vacancy there was no option. It would be their duty to fill it, when in their judgment a suitable nomination should have been made. To know what their action should be, it is first to be determined, whether there be a vacancy, without which knowledge they cannot understandingly act.

So, too, if the Reporter is not removed, he is entitled to his salary for his official services, and that, too, without the delay incident to protracted litigation.

Whether there is a salary due or not is a question depending upon the power of removal existing in the Governor alone.

The opinion of this Court has been required in some forty instances in relation to a variety of subjects and under different circumstances. In no instance has the obligation to answer been questioned or an answer denied. The inquiries made have embraced a great number of subjects—the right to and the tenure of office—the duty of the executive department in relation to the counting of votes—the right to a membership of the House or Senate—the fees of the members of those bodies—the organization of the Legislature and the constitutionality of statutes, &c.—matters affecting individuals and the public, but in respect to which it was deemed advisable to obtain the opinion of the Court before final action should be had in reference to the subject matter embraced in the inquiries proposed. In pursuance, therefore, of the obligations imposed upon us by the constitution, we proceed to consider the questions submitted.

Article 5, part 1st, of the constitution, relates to "executive powers" and defines and limits the same.

By § 1 "The *supreme executive* power of the State shall be vested in a Governor," thus recognizing him as the head of the executive department of government. But he is not the executive department. "He shall take care that the laws be faithfully executed." He may issue commissions, sign warrants, remit penalties, grant reprieves, commutations and pardons—but he does all this by and with the advice of his Council. He carries into effect the doings of the executive department of which he is the head but he does not control it.

If he was clothed with supreme and uncontrolled executive power, the Council would have no duties. His powers are only what are specially given him by the constitution or necessarily inferrable from powers clearly granted. He is to execute the powers conferred, in the manner and under the methods and limitations prescribed by the constitution and the statutes enacted in accordance therewith.

It was early held that the President of the United States had the power of removal without the concurrence of the Senate, though not that of appointment, without such concurrence.

The question was so close, that this construction was carried by the casting vote of the Vice President. This construction has ever been doubted by many of the ablest Statesmen and Jurists.

Indeed, in the argument advanced for the adoption of the constitution by the great Statesman, whose influence was alike paramount, in its formation and adoption, it is said that "consent of the body would be necessary to displace as well as to appoint,"—thus holding that the power of removal was an inference from that of appointment.

But whether this construction was right or wrong, no argument can be drawn from the power claimed and exercised by the President of the United States. The constitution of this State differs so widely from that of the United States, that the argument from the exercise of such power by the President is entirely inapplicable. The reasons assigned for the exercise of that power without senatorial concurrence, were, first, that there might be great misfeasance in a public officer and the necessity of prompt action, which might not be had if the Senate was not in session. But this does not apply, because the Council may be readily convened at any time by the call of the Governor.

The second reason was, that as the Senate is the Court for the trial of impeachment, it would not be an impartial tribunal for the trial of those who had been appointed through its instrumentality. But the Council of Maine has nothing to do in the matter of impeachment.

Thirdly. It was argued that as the power to participate in removals was not given in terms to the Senate, the power could not be implied. The answer then made to this was that it was no more expressly given to the President than to the Senate, and that the implication no more arises in his case than in that of the Senate; that the power of appointment was given conjointly to the President and Senate and the power of removal if granted, was granted by implication to both. But the argument for the power of the President, whether unanswerable or not, has no application to the question under discussion. And, besides, this power of the President has been limited and restricted by subsequent legislation, by Revised Statutes U. S., § 1767, and seq., which diminish and regulate his power of removal in essential particulars.

In this State the Council is a part of the executive department, and specially created "to advise the Governor in the executive part of government." Indeed, it will be seen, in the different parts of the constitution, that when the appoint-

ment is by the Governor with the advice and consent of Council, not only no power of removal is given to the Governor, but that he is even denied that power when an officer is to be removed by address, without the advice of his Council first had and obtained.

By § 8 of the same article, "He shall nominate, and, with the advice and consent of the Council, appoint all judicial officers, coroners, notaries public; and he shall also nominate, and with the advice and consent of the Council, appoint ALL other civil and military officers, whose appointment is not by this constitution or shall not by law be otherwise provided for," &c. The cases, "otherwise provided for," are those in which the advice and consent of the Council is not necessary. The Reporter is not an officer "otherwise provided for," because his appointment is by their advice and consent. Except in the special instances, in which the power of appointment is conferred on the Governor, he can not appoint without the concurrence of the Council. Where he has such power by statute, he has the right of removal as incident to the power of appointment.

As an illustration, by chap. 290 of the Acts of 1837, continued through all subsequent revisions and found in R. S., 1871, c. 110, § 1, the Governor of the State was authorized to appoint commissioners to take the acknowledgement of deeds and to commission them to hold office during *his* pleasure. So the Act of 1876, c. 110, authorizing certain persons to solemnize marriage, gives the right to appoint to the Governor alone.

These are instances of the officers "otherwise provided for," where the Council have nothing to do in advising or consenting to the appointment or removal. The power of the Governor is derived from the statutes, conferring it, and from them alone.

By section one of part second, of the same article, the Council are "to advise the Governor in the executive part of government," and he with the Councillors or a majority of them, may from time to time hold and keep a council for ordering and directing the affairs of the State according to law. The Council are "to advise the Governor in the executive part of government." Appointments belong to the executive part of government. The removal of unfit or

incompetent men belongs equally to "the executive part of government." If removals belong to "the executive part" of his duty, then the Council by the constitution are to advise with him in reference thereto, unless otherwise specially provided. If they are not done "in the executive part of government," from whence is the power derived? The right to remove is claimed as belonging to the executive part of government, but if it be so, then it is a part in which the Council are to advise. The very claim by the Governor to remove as belonging to the executive part of government, necessarily requires and involves the advice of Council, unless there are portions of the "executive part of government" in which he may act without advice. But the constitution designates none such, and the power of removal by the Governor exists only in the few cases specially "provided for," where the appointing and the removing power is intrusted to him by statutory provisions.

The Council is to be held and kept "for ordering and directing the affairs of the State according to law." A removal is no less one of the affairs of the State than is an appointment. There is nothing more important than that the offices of the State be filled by able and competent men, and if they are held by weak, incompetent men, that such men should be removed. Now, the removal and the appointment equally appertain to "the affairs of the State," in the ordering and directing of which the Council are to participate, unless it is to be held that the one is an affair of the State and the other is not.

By Art. 9, § 6, "The tenure of all offices which are not or shall not be *otherwise provided* for, shall be during the pleasure of the Governor and Council."

The general rule is that appointments are by the Governor with the advice and consent of the Council, and the tenure is during their pleasure. The tenure may be at the pleasure of the Governor alone, when he has the appointing power without advice or consent of his Council. The cases "otherwise provided for" are those where the appointing power is vested in the Governor alone—and the power of removal being an incident to that of appointment, is in his hands, or there is a constitutional limitation upon the conditions and duration of official tenure.

By Art. 9, § 5, "every person holding an office, may be removed by the Governor with the advice of the Council, on the address of both branches of the Legislature." In the only case, where removal is specifically referred to, the advice of the Council is required. In the case of an address by both branches of the Legislature the power of removal is not intrusted to the Governor as the Supreme Executive, but is made subject to the limitation of the advice of the Council.

If on address made by both branches of the Legislature for the removal of the Reporter, the Governor could not remove except by the advice of Council, much more then can he not remove on his own motion—except in the special cases otherwise "provided for," where he may remove those he has appointed without advice of Council. It is thus clear, that the general power of appointment or removal is no part of the executive functions of the Governor alone. In reference to each his action is restricted by the advice and consent of his Council. Even in the special case of an address of both branches of the Legislature, he is subject to their advice, without which there can be no removal. His power of removal is restricted to the instances where the appointment is vested in him alone, and the power of removal is specially given in the statute conferring the appointing power or is an inference from the power of appointment.

Where the appointments have been with the advice and consent of the Council, the removals have been by the appointment and qualification of a successor. The appointment and removal are by one and the same act. The appointment removes. This should obviously be so, else the Governor might create vacancies he could never fill, because the Council not consenting to his nominations, the offices would remain vacant. Hence removals have ever been by confirmed nominations. The removal is a consequence of the appointment of a new officer. It never precedes it.

The document purporting to be a removal, is equally unauthorized and unprecedented in the administration of the State.

The power of removal where the appointment is by the Governor with the advice and consent of the Council, is not conferred by the constitution on the Governor. Neither is it by the statute creating the office, which was approved June 20, 1820, by which the Governor by and with the advice of

the Council "was empowered to appoint a Reporter," who was "removable at the pleasure of the executive."

A constitution had just been adopted. A new government had been inaugurated. Those who framed the constitution were called upon to administer the government. The act first creating the office of Reporter, was passed shortly after the adoption of the constitution. The president of the constitutional convention was the Governor of the State. The office was created "removable at the pleasure of the executive." The commission issued, to have and to hold, &c., "unless sooner removed by the Governor and Council for the time being." Thus those administering the government at its very inception, construed "Executive" to mean Governor and Council. The form then adopted has been in use to the present time, in reference to the tenure of the Reporter's office, as well as to the other offices, when in the statute creating them, this language is used.

The statutes have been repeatedly revised, and the same language used, and commissions in the same form issued.

The contemporaneous meaning given to the word "Executive," has received the sanction of every succeeding administration.

The Reporter, be it observed, is "removable at the pleasure of the executive," that is by the Governor with the advice and consent of the Council, not by the *supreme* executive power or authority, as in the case where the Governor as "the supreme executive authority" of the State, issues as such, his warrant "under the great seal of the State," to the Sheriff or his deputies commanding him, in the case of one sentenced to death, to carry said sentence into execution. In such case his action is without the advice or consent of his Council, R. S., c. 135, § 9. Nor is the Reporter made removable "by the Governor" simply.

The executive power is clearly referred to, that is, the executive branch of the government.

"Great deference has been paid in all cases to the action of the executive department, when its officers have been called upon under the responsibilities of their official oaths, to inaugurate a new system, and when it is to be presumed, they have carefully and conscientiously weighed all considerations, and endeavored to keep within the letter and the spirit of the constitution."—Cooley on Constitutional Limitations 69.

It is implied in the claim to remove, that every preceding State administration has erred in the meaning to be attached to the word "executive," and that every commission issued, where the language of the act creating the tenure is like the one establishing the office of Reporter, has been issued not merely without, but against law. But it will be found on examination that the construction given to the Statute is recognized by the constitution, by acts of the Legislature and in the messages of the different Governors of the State. Undoubtedly the word may sometimes be used in a different sense, but as Mr. Story has well observed: "It does not follow either logically or grammatically, that because a word is found in one connection in the constitution with a definite sense, therefore the same sense is to be adopted in every other connection in which it occurs." The same remark is equally applicable in the construction of a statute as of the constitution.

The act of Massachusetts of June 19th, 1819, "relating to the separation of the District of Maine from Massachusetts proper and forming the same into a separate and independent State," in part is embodied in the constitution of this State.

By § 6 of this act "the Executive authority" of each State was to appoint two Commissioners in relation to the division of the public lands, &c., in Maine, and the four so appointed shall appoint two more, and in case of their disagreement, the Executive of each State shall appoint one in addition, &c. "Executive" and "executive authority" are used as equivalent terms, and were understood as referring to appointments by the Governor of the respective States by the advice and consent of their respective Councils, and the appointments were so made—so that in each State, the terms "executive" or "executive authority," were by the respective governments of each State construed as meaning Governor and Council. The right to remove as well as to appoint was conferred by these words.

Governor King, in his message of January 11, 1821, says the situation of the Judges of the Circuit Court of Common Pleas is not such at this time as is contemplated by the constitution. The Courts not having been organized anew, the Judges continue to act under their old commissions, and thus hold their offices during the pleasure of the Governor

and Council, and not during good behavior, as the principles of the constitution require. Governor Parris, in his message of January 5, 1822, referring to this subject, says: "On examination, I find that the law of Massachusetts, establishing a Circuit Court of Common Pleas, has not been revised and re-enacted here, and on turning to the Council records, that the Justices of that Court do not hold their commissions from the executive of this State, except such only as have been appointed to fill vacancies. Of course, this court exists by a law of the parent State in force under the provisions of the act of separation, and the whole of its members in the first and third circuits and one on the second, hold their office during the pleasure of the executive, instead of good behavior, as contemplated by the constitution." It will be perceived that in these communications the Governor and Council were considered the "executive."

By chapter 226, of the acts of 1823, "the Governor, with the advice of Council," was authorized to appoint a suitable person to superintend the erection of the State Prison. Governor Parris, in his message of January 10, 1824, on this subject, says "The *executive* proceeded to the appointment of a suitable person to superintend the erection of said prison," &c.

By chapter 78, of the resolves of 1824, the amount of fifteen hundred dollars was placed at the disposal of the Governor with the advice of Council for the education of the deaf and dumb. Governor Parris, in his message of January 7, 1825, uses this language: "The executive have adopted such measures as seemed most likely to comport with the views of the Legislature and to secure the accomplishment of the object"—that is, the education of the deaf and dumb.

By the resolve of February 2, 1828, the Governor with advice of Council was authorized and requested to appoint during pleasure "a Commissioner of Public Buildings," with power to obtain plans and estimates of the probable expense of preparing grounds and finishing the Public Buildings for the accommodation of the Executive and Legislative departments to be laid before the Governor and Council for their approval, subject to changes, modifications and alterations to be suggested and approved by them.

Hon. William King was appointed the Commissioner of Public Buildings under this resolve, and in answer to a

request by Governor Lincoln, he writes January 29, 1829, "Having been requested to present to the Executive the plans for the erection of a building for the accommodation of the Legislative and Executive departments," &c., he proceeds to give his estimates and plans as far as completed—directing his communication to the Governor and Council—as the executive to whom his plans and estimates were to be presented.

It is to be observed that the Commission was to act under the advice and direction of the Governor and Council. The House of Representatives having requested a copy of the directions, Governor Smith in his message of February 1, 1831, in compliance with such request says: "I herewith transmit copies of all the directions, which have been given by the Executive in relation to the State House," &c.

Governor Smith in his message to the Senate and House of Representatives of February 7, 1832, after saying that the Secretary of State will lay before them a communication from the Commissioner of Public Buildings, stating the amount of expenditures, proceeds as follows: "In furnishing the house in a suitable manner, it was found necessary to exceed the appropriations made for that purpose, and several additions and alterations not contemplated in the original plan have been made by the Commissioner under the direction of the executive department."

On February 17, 1831, (c. 490) an act was approved, the object of which was as alleged in the preamble, to make valid the alleged unconstitutional acts of the Legislature and the doings of the executive department of 1830.

By § 4, the doings of any officer deriving his authority from the *executive department* of that year shall not be set aside or held void by reason of the unconstitutionality of the doings and proceedings mentioned in the preamble of the act.

By § 5, it was enacted that no marriage solemnized by any person deriving his authority to solemnize marriages from said *executive* shall be set aside or made void by reason of any defects in the proceedings aforesaid, that is the legislative and executive proceedings of the preceding year.

By the *then* existent law, persons appointed to solemnize marriage were appointed and commissioned by the Governor with advice of Council—(since changed by c. 110, of the Acts of 1876 as before stated.)

The words executive and executive department were used to mean Governor and Council in a carefully worded and important act rendering valid all the acts of the legislative and executive departments.

By a resolve of March 23, 1835, the Governor with the advice of Council was authorized to appoint three Commissioners of the State Prison to report the best system of prison discipline. The appointments were made and in his message of January, 1836, Governor Dunlap says: "By recurring to the proceedings of the last Legislature you will find that a resolve was passed authorizing the Governor with the advice of Council, to appoint Commissioners to report a System of Prison Discipline for the State, &c. In conformity to the authority vested in the executive, the trust was confided to William D. Williamson, Nathaniel Clark and Joseph R. Abbott," &c.

By a resolve of March 1, 1836, the Governor by advice of Council was authorized to appoint an agent to superintend the erection of an Insane Hospital under the general direction of the Governor with the advice of Council. In his message of 1837, Governor Dunlap says: "In conformity to the authority vested in the executive, the trust was confided to Reuel Williams, Esq.," &c.

In all these cases the power was intrusted to the Governor and Council, and not to the Governor. The "executive" was the Governor with the advice and consent of his Council.

So Governor Kent, in his message of March 12, 1835, uses the word executive as equivalent to and meaning Governor and Council.

But it is unnecessary to give additional illustrations of the use of the word Executive by all the different Governors who have been called to administer the affairs of the State.

The same word may have different meanings, and different words or forms of expression may be used to convey the same idea. The various statutes in relation to officers appointed by the Governor by the advice and consent of the Council, enacted in the early days of the government, as well as since, adopt different language to express one and the same meaning. Thus, by ch. 148, of the acts of 1821, "the Governor, with the advice and consent of Council," was empowered to appoint an Inspector General of beef and pork, "to be by them removable at pleasure." By ch. 175, they were authorized to

appoint an Indian Agent, "during pleasure." By ch. 177, they were authorized to "appoint and commission" pilots, whom they might suspend or remove "at their discretion."

By ch. 54, of the acts of 1820, they were authorized to appoint a Reporter "removable" at the pleasure of the executive. "The Bank Examiner is appointed by the Governor with advice of Council" and holds his office by R. S., ch. 47, § 54, "subject to removal at any time by the appointing power."

Coroners by R. S., ch. 80, § 40, "hold their offices according to the provisions of the constitution." By R. S., ch. 142, § 1, the Trustees of the State Reform School are to be appointed by the Governor with the advice of the Council, "to hold their offices during the pleasure of the Governor and Council," but not more than four years under one appointment.

In some instances the statute says nothing in relation to removal, but that would not affect the right to remove.

Most of these offices were created at the commencement of the State government. But notwithstanding this varying use of language, it was unquestionably the intention of the Legislature to place the power of removal in the Governor by the advice and consent of his Council. It was so understood by those administering the government, when the offices named and others with varying language as to removal were created, for in all instances the commissions were issued and signed,—the respective officers being removable at the pleasure of the Governor and Council.

In some instances, in the different revisions of the statutes, the language as to removals has been changed from one form of expression to another—the different forms being regarded as equivalent and identical in their meaning—the revisers not being authorized to change the law.

By ch. 90, of the acts of 1821, the Governor and Council were authorized to appoint and commission Fish Inspectors, to hold office "during *his* pleasure," and the first commission was issued "during the pleasure of our Governor." This, it is believed, is the only case where an appointment by the Governor and Council was made removable by the Governor.

By ch. 257 of the acts of 1824, it was enacted, "That **ALL** civil officers, appointed and commissioned by the Governor and Council, or who shall be hereafter commissioned by the Governor and Council, whose tenure of office is not otherwise

provided for or limited by the constitution, shall hold and exercise their respective offices for the term of four years and no longer, unless re-appointed: Provided, however, that this act shall not be so construed as to prevent the Governor, with the advice of Council, from removing any such officers within the term of four years; and this act shall not extend to such ministers of the Gospel as are or may be appointed and commissioned to solemnize marriages; or to such as are or may be commissioned by the Governor before whom certain judicial, executive and civil officers are required by law to take and subscribe the oaths or affirmations required by the constitution."

The Reporter is a civil officer appointed and commissioned by the Governor and Council. His "tenure of office is not otherwise provided for or limited by the constitution." He is, therefore, by the express terms of the statute to hold for four years, "unless re-appointed." He may by the *proviso* be removed, by "the Governor with the advice of the Council," and not otherwise. The statute is general and applies to ALL civil officers. The exceptions from this statute are specially named "the cases provided for, and limited by the constitution,"—are Judges whose tenure was during good behavior,—to the age of seventy—Justices of the Peace, and Notaries Public for seven years if they so long behave themselves well. The act embraced within its terms, the office of Reporter, who originally was "removable at the pleasure of the executive." It affirms by necessary and inevitable implication the correctness of the construction first given as to the removability of the Reporter, for he is within the obvious words of the act.

This act was passed in the administration of Gov. Parris, a learned and able Judge and an influential member of the constitutional convention. In the case of Fish Inspector—an officer appointed by the Governor with the advice of the Council, to hold at the Governor's pleasure, the commission was changed, and the appointee held his office for four years, removable at the pleasure of the Governor by advice and consent of the Council.

This act with slight alterations by way of condensation and not intended to effect any change is found in R. S., ch. 2, § 84. The original enactment was passed for the purpose of

establishing uniformity in the duration of official life. It applies to *all*, "whose tenure of office is not otherwise provided for by law or limited by the constitution." It applies to the office of Reporter equally as to other offices. There is no statute taking this office from its operation. There is no reason why there should be such a statute.

In all cases where the Governor appoints with the advice and consent of the Council, they remove. When the appointing power is in the Governor alone, he may remove.

The contemporaneous construction given to the statute adopted and uniformly followed by the series of able and upright men, who have administered the affairs of the State, has been in accordance with law and with the undoubted intention of the Legislature. Neither negligence, ignorance nor imbecility is to be imputed to them. Indeed, as is forcibly remarked by Parker, C. J., in *Packard v. Richardson*, 17 Mass., 144, a contemporaneous is generally the best construction of a statute. It gives the sense of a community of the terms made use of by a Legislature.

If there is ambiguity in the language, the understanding and application of it, when the statute first comes into operation, sanctioned by long acquiescence on the part of the Legislature, is the strongest evidence that it has been rightly explained in practice. This is well established law.

To the questions proposed — we answer :

1. That the Reporter does not hold his office at the will and pleasure of the Governor alone, and is not removable by him.
2. That he is removable only by the Governor by and with the advice and consent of the Council.

JOHN APPLETON.
W. G. BARROWS.
JOHN. A. PETERS.

We concur in the opinion, that in the section of the statute defining the tenure of office of the Reporter of the decisions of the Law Court, R. S., ch. 77, § 28, the words "the executive" are employed to embrace, in one general term, both the Governor and Council, who had been mentioned together in the earlier lines of the section, and to indicate the executive authority by which the appointment is made; that the phrase "who shall hold his office during the pleasure of the executive," contemplates the same mode of executive action and procedure in effecting a removal, as in making an appointment; and that neither from the letter, reason nor history of the statute, nor from a comparison of it, with those in *pari materia*, can a just inference be drawn of an intention to divide the removing from the appointing power.

We think the section substantially re-enacts, in this particular instance, the general constitutional provision that, "the tenure of all offices which are not or shall not be otherwise provided for, shall be during the pleasure of the Governor and Council," and that it was not intended that the former, who has only the power to nominate for appointment, shall be able alone to create a vacancy which he has not the power to fill without the action of the latter.

WM. WIRT VIRGIN.

J. W. SYMONDS.

CHAS. DANFORTH.

The undersigned, Justice of the Supreme Judicial Court, having taken into consideration the question propounded to the Justices of said court by the Executive Council of this State, and the statement of facts accompanying it; and having given them careful and mature examination, respectfully submits the following answer:

By the constitution of this State, article 6, section 3, the Justices of said Court "shall be obliged to give their opinion upon important questions of law, and upon solemn occasions, when required by the Governor, Council, Senate, or House of Representatives." The question propounded must be an important question of law, and the occasion upon which it is

put must be a *solemn occasion*, to justify the Justices of the Court in giving an opinion. The question may be an important question of law, but if the occasion is not a solemn one within the meaning of the constitution, it should not be answered.

I respectfully submit, with great deference to the opinion of the other Justices of the Court, that the occasion upon which the question is propounded, as shown by the statement of facts, is not a solemn occasion within the true meaning of the constitution.

The object of the clause of the constitution under consideration appears to me to be to enable the Governor, Council, Senate, or House of Representatives, to obtain the advice of the Justices upon any important question of law, of public concern, which the body making the inquiry has occasion to consider and act upon in the exercise of the legislative or executive powers intrusted to them respectively, for their guidance in their action.

It does not contemplate that one branch of the executive or legislative department may properly put to the Justices, questions in regard to the power of another to do an act performed by it, or as to the legal effect of such act, in the performance of which the body putting the question was not requested to act, and upon which it can not be required to act. It can not be that it contemplates that the Senate or House of Representatives may propound questions in regard to the power of the Governor to remove officers from office, or as to the legal effect of an attempted removal, upon which it can in no event act. Nor does it appear to me that it contemplates that the Council may require the opinion of the Justices, as to the legal effect of the action of the Governor in assuming to remove an officer from office without their consent. In doing so they would require the Justices to determine the rule by which the Governor should be controlled in his action in matters upon which he does not require their advice or action, without his consent, and against his protest. The fact that the Governor acted alone precludes the idea that the Council can be required to join in the same act. It may be said that they may be required to act with the Governor in making a new appointment to the office. If they should be they must exercise the duties of their office

according to their judgment. The attempted removal by the Governor in no way affects their constitutional powers or duties. It is their duty to act in some way on all nominations made by the Governor. If one should be made in place of Mr. Spaulding, and they desire his removal, they can easily accomplish it by confirming the nomination, and then the question of the power of the Governor to remove alone will be of no consequence. If they do not desire his removal, and doubt the power of the Governor to remove without their consent, they can decline to confirm, until Mr. Spaulding's right to the office can be judicially determined by the Court. In the mean time the public interest will not suffer.

By the papers sent up it appears that Mr. Spaulding denies the power of the Governor to remove him without consent of the Council, and claims the right to discharge the duties of the office, while thus exercising them under color of his commission, and with a claim of right to do so, he is an officer *de facto*, if not *de jure*, and by the well established rule of law, so far as the public are concerned, his acts will be as valid and binding in the one case as in the other. *Belfast v. Morrill*, 65 Maine, 580. *Sheehan's case*, 122 Mass., 445.

There is another reason why the question is one upon which the Justices are not required to give their opinions. It is a pure question of law whether, by the act of the Governor, Mr. Spaulding was legally removed from the office of Reporter of Decisions. It involves his title to the office. It is a question upon which both the State and the officer have a right to be heard before a final judgment is pronounced. The proper process in which the question can be judicially tried and determined, is the writ of *quo warranto*, which may be sued out at any time by the Attorney General; and in it each party would be properly before the Court, could be represented and heard, and a final judgment could be rendered.

If the Justices should answer that the Governor had the power to remove as claimed by him, and that Mr. Spaulding was legally removed, it would not be binding upon him as he has had, and can have, no opportunity to be heard in the matter; and it would violate every principle of law and justice to judicially determine the right of an officer to his office without giving him an opportunity to be heard—and if

the answer is against the power of the Governor, it would not be binding upon the State, for the Attorney General might at once bring the writ of *quo warranto*, and the Court would be obliged to hear the parties and determine the question judicially. The Court should not prejudge the case without a hearing in the proper process, unless the occasion is so solemn as to require it, to avert some public injury.

If the Justices are obliged to answer the question sent up, it is not perceived why they may not be obliged to answer any question put upon a statement of facts, by the Council involving the title of a sheriff or other elective officer to his office, on the ground that if there is a vacancy it would be the duty of the Council to act with the Governor in filling it—and thus introduce a new mode of trying the right of the officer to his office.

The case is very similar to that in which the Court in Massachusetts declined to answer the questions propounded by the House of Representatives in 1877. Opinion of the Justices, 122 Mass., 600.

I am, therefore, of opinion that the question ought not to be answered. But although my judgment leads me to this conclusion, my confidence in its correctness is somewhat shaken by the fact that so many of the other Justices of the Court are of a different opinion. In cases of doubt it may be the duty of the Court to yield in favor of the prerogative of the body propounding the question. The Justices of the Court in Massachusetts have twice recognized this duty, and answered under protest. 5 Met., 597; 9 Cush., 604. Inasmuch as any opinion now given can have no effect if the matter should be judicially brought before the Court by the proper process, and lest in declining to answer, I may omit the performance of a constitutional duty, I will very briefly express my opinion upon the question submitted.

I concur in the result of the opinion of Chief Justice Appleton and Justices Barrows and Peters; but not in all the propositions and arguments upon which the result is reached.

By the constitution of this State, article 9, section 6, "The tenure of all offices which are or shall not be otherwise provided for shall be during the pleasure of the Governor and Council."

The office of Reporter of Decisions was created by act of 1820, chapter 54, section 9, which provided that the officer "shall be removable at the pleasure of the Executive."

This provision is substantially the same in the revised statutes. R. S. ch. 77, § 28. The word "executive" has two well defined and recognized meanings; and as applied to our form of State government, one designates the Governor as the chief executive, or head of the executive department; the other embraces both the Governor and Council when they are required to act together in the execution of any executive power, and while the constitution (article 5, part first, section 1,) declares that the supreme executive power of the State shall be vested in a Governor, it uses (article 6, section 8) the words "executive power" as embracing both the Governor and Council.

Considering the question upon the act of 1820 alone, the question arises, in which sense did the Legislature use the word "executive"?

There is much in the early legislation of the State, and in the interpretation of the word "executive" and "executive authority" as they occur in the constitution of the United States, and the statutes of this State, by the several departments of our government, upon which an argument may be based in support of either construction; and after a careful consideration of the question in all the lights drawn from these sources, it appears to me to be very doubtful whether the Legislature in said act used the word "executive" as designating the Governor alone, or the Governor and Council. It was undoubtedly competent for the Legislature to give the Governor alone the power of removal; but if such intention is not clearly expressed in the statute, then the tenure of the office must be determined by the constitutional rule before quoted. But there is another statute which it appears to me conclusively settles the question—R. S., ch. 2, § 84. This statute is derived from the act of 1824, ch. 257, which reads as follows: "That all civil officers appointed and commissioned by the Governor and Council, or who shall hereafter be commissioned by the Governor and Council, whose tenure of office is not otherwise provided for or limited by the constitution, shall hold and exercise their respective offices for the term of four years and no longer,

unless re-appointed: *Provided, however,* That this act shall not be so construed as to prevent the Governor with the advice of Council from removing such officer within said term of four years; and this act shall not extend to such ministers of the Gospel as are or may be appointed and commissioned to solemnize marriages; or to such magistrates as are or may be commissioned by the Governor, before whom certain judicial, executive and civil officers are required by law to take and subscribe the oaths or affirmations required by the constitution."

The provisions of that act have been brought down through the revisions of 1840 and 1857, to the Revised Statutes before cited, with no change of language indicating an intention of the Legislature to change the meaning, except a change in the phraseology designed to except from the operation of the statute certain offices created by statute with a tenure for a fixed term other than four years.

Under the provisions of the act of 1824, if the tenure of the office of Reporter of Decisions was determined by the constitution, then the Governor had no power to remove without the consent of the Council. If not, and the Reporter was removable at the pleasure of the Governor under the act of 1820, then the tenure of the office was not "otherwise provided for or limited by the constitution," and became subject to the provisions of said act of 1824, and by it was fixed at four years unless sooner removed by the Governor with advice of the Council.

The acts of 1820 and 1824 remained without change till the revision of 1840, and up to that time the act of 1820, so far as the tenure of the office was concerned, was modified and controlled by the act of 1824. The provisions of both acts, having been incorporated into the revisions of 1840, 1857 and 1871, by a well settled rule of construction, they must receive the same construction as before the revisions, *Hughes v. Farrar*, 45 Maine, 72. *French v. County Commissioners*, 64 Maine, 583.

This has been the uniform construction put upon these statutory provisions by the executive power of the State from 1824 down to this year.

Mr. Greenleaf was appointed Reporter in 1820, under the act of that year creating the office, and by the terms of his

commission was to hold the office during the pleasure of the Governor and Council. After the passage of the act of 1824, and at the end of four years from his first appointment he was re-appointed, and by the terms of his commission, was to hold the office for four years unless sooner removed by the Governor and Council as provided in that act. The same form of commission, so far as the tenure of the office is concerned, has been continued ever since, and every Reporter who has held the office for more than four years in succession has been re-appointed at the end of said term.

I think this construction of the statutes, so long sanctioned, is the correct one, and that the Reporter of Decisions must be appointed and commissioned for the term of four years unless sooner removed by the Governor with advice of Council, and that the Governor has no power to remove him without advice of the Council.

I therefore answer the question propounded in the negative.

ARTEMAS LIBBEY.

I concur in the foregoing opinion prepared by Judge Libbey.

C. W. WALTON.

To the Honorable, The Council of Maine.

CIVIL GOVERNMENT
OF THE
STATE OF MAINE,
FOR THE POLITICAL YEARS
1883-4.

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GORHAM.

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Robbinston.....	John M. Smith.
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	John B. Donovan.
Cornish.....	George H. Milliken.
Hollis.....	Cyril P. Harmon.
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Kittery.....	Dennis M. Shapleigh.
Limington.....	Winfield S. Small.
Lebanon.....	Charles D. Fall.
Newfield.....	Isaac M. Trafton.
North Berwick.....	Moses Wentworth.
Saco.....	George A. Emery.
South Berwick.....	George F. Goodwin.
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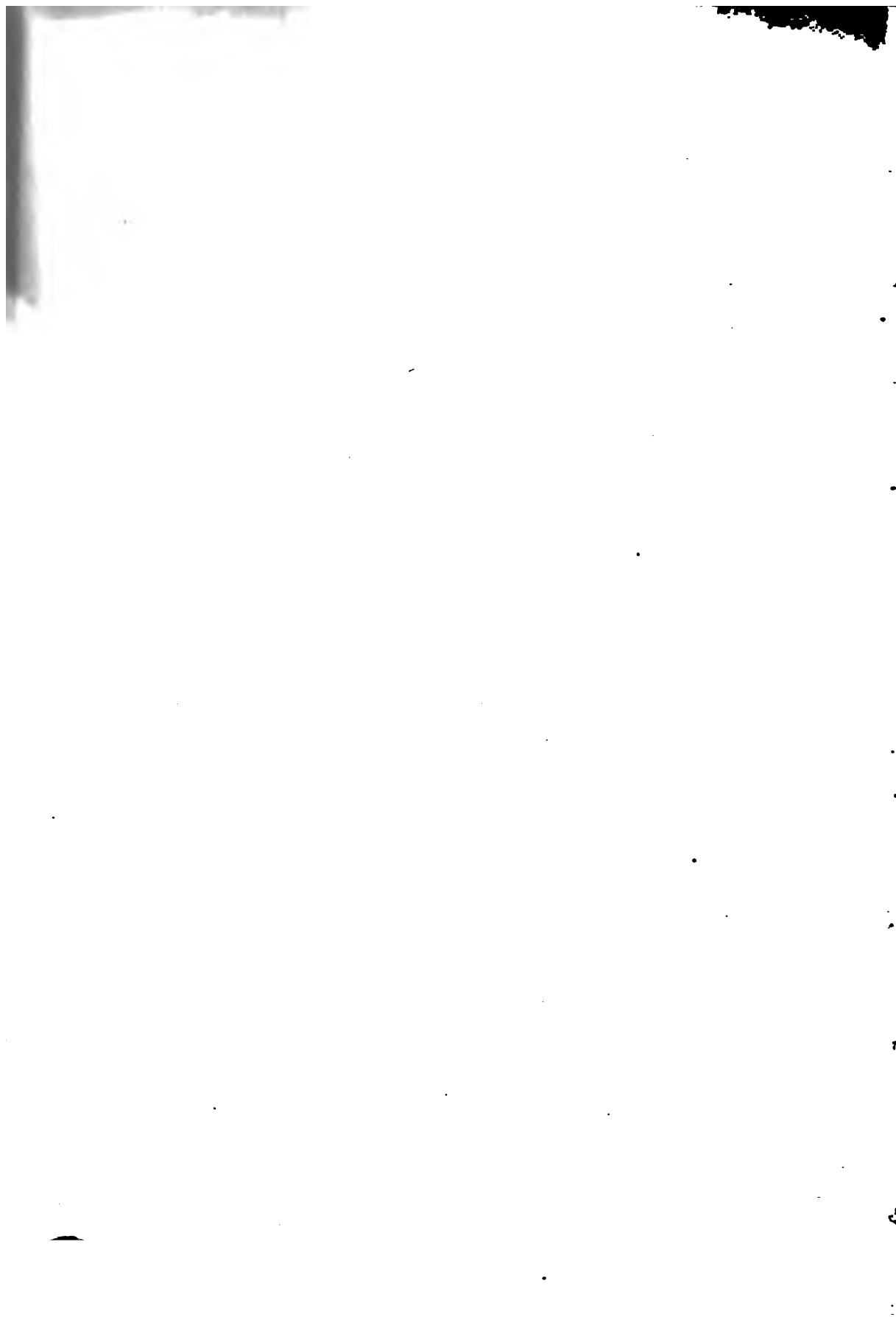
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